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Note by the President of the Security Council

The attached final report of the Monitoring Mechanism on Angola Sanctions established by resolution 1295 (2000) was presented to the Security Council Committee established pursuant to resolution 864 (1993) concerning Angola. The report is being circulated for the information of the Members of the United Nations. Consideration of the report in the 864 (1993) Sanctions Committee is beginning, after which the Committee will officially present the report to the Security Council.

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Annex

Letter dated 21 December 2000 from the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola addressed to the President of the Security Council

I have the honour to transmit herewith the final report of the Monitoring Mechanism on Angola Sanctions established by the Security Council in resolution 1295 (2000) of 18 April 2000 (see enclosure).

I would be grateful if the present letter and its enclosure were circulated to members of the Security Council for their information and issued as a document of the Council.

(*Signed*) Paul **Heinbecker**
Chairman
Security Council Committee established pursuant to
resolution 864 (1993) concerning the situation in Angola

Enclosure

Final report of the Monitoring Mechanism on Angola Sanctions

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I. Introduction

A. Mandate of the Monitoring Mechanism

1. The present report is submitted pursuant to Security Council resolution 1295 (2000) of 18 April 2000, which established the Monitoring Mechanism on Angola Sanctions for a six-month period and mandated it to:

(a) Collect additional relevant information and to investigate relevant leads relating to any violations of the measures contained in resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998;

(b) Investigate any relevant leads initiated by the Panel of Experts established in accordance with Security Council resolution 1237 (1999) of 7 May 1999, including visiting the relevant countries;

(c) Develop a mechanism designed to improve the effectiveness and efficiency of the implementation of sanctions.

2. The five members of the Mechanism are:

Ambassador Juan Larrain (Chile), Chairman

Ambassador Lena Sundh (Sweden)

Ms. Christine Gordon (United Kingdom of Great Britain and Northern Ireland)

Mr. James Manzou (Zimbabwe)

Mr. Ismaila Seck (Senegal)

B. Background of the Mechanism

3. The Security Council, through resolutions 864 (1993), 1127 (1997) and 1173 (1998) imposed sanctions against the União Nacional Para a Independencia Total de Angola (UNITA)[1] led by Jonas Savimbi, with the view to promoting a political settlement to the long conflict in Angola by requiring UNITA to comply with the obligations that it committed itself to when it signed the Bicesse Peace Accords of 1991 and the Lusaka Protocol of 1994 and by limiting UNITA's ability to pursue its objectives by military means. These sanctions prohibit: the sale or delivery of arms and military equipment to UNITA; the provision of petroleum products to UNITA; and the purchase of diamonds mined in areas controlled by UNITA; require the freezing of UNITA bank accounts and financial assets and mandate the closing of UNITA representation offices as well as restrictions on travel of senior UNITA officials and adult members of their immediate families.

4. Desirous to strengthen the implementation of these sanctions, the Security Council, by resolution 1237 (1999) of 7 May 1999, established an independent Panel of Experts and mandated it to establish how sanctions against UNITA were being violated, who was violating them and what could be done to make the sanctions more effective. In its groundbreaking report to the Council of 10 March 2000 (S/2000/203), the Panel of Experts revealed its findings on how the sanctions against UNITA were being violated and made extensive recommendations on how the sanctions regime could be further strengthened.

C. Method of work

5. The Monitoring Mechanism on Angola Sanctions has had two points of departure for its work: the report of the Panel of Experts and the current situation on the ground in Angola. Efforts have been made to follow up on leads provided but not investigated by the Panel due to the shortage of time. One objective has been to try to shed even more light on the interaction between UNITA and the shady arms dealers and transporters who have been instrumental in the rearmament of that organization for reasons of profit and greed rather than ideology. Another objective has been to look at the sanctions, their implementation and importance in the context of the current situation.

6. The Mechanism agreed to use strict evidentiary standards in its investigations and to put allegations to those concerned to allow them to exercise their right to reply. The Mechanism was also of the view that, in the execution of its mandate, it was important for it to sensitize international public opinion about its role in particular, and the role of the Security Council sanctions against UNITA in general. In this regard, the Mechanism, inter alia, has created a web site containing information on its work as well as an e-mail address where the Mechanism can be contacted.

7. The Mechanism committed itself to holding regular consultations with the Panels of Experts working on similar issues and to keeping the Security Committee established pursuant to resolution 864 (1993) concerning Angola informed of its work as and when necessary.

D. Analysis of the current political and military environment in Angola

8. The period from the second half of 1996 to May 1998 can be characterized as a period of positive political developments in Angola, which reached a peak when the Government of national unity was constituted in April 1997. Altogether, 70 UNITA members were installed as members of Parliament and a number of UNITA senior military officers were incorporated into the national army. Two declarations of demilitarization were made by UNITA. In spite of this, it became evident over time that Jonas Savimbi had used the Lusaka peace process to undertake a major rearmament exercise for UNITA and that significant numbers of UNITA combatants had been kept in hiding in preparation for a major offensive.

9. During this period, UNITA mustered considerable conventional warfare capacity, mainly concentrated in the central highlands. Parallel to the conventional war machinery, guerrilla units were present in most parts of the country, with particularly heavy concentrations in the northern provinces of Uige and Malanje, the western provinces of Kwanza Sul and Kwanza Norte, the eastern province of Moxico and the southern province of Cuando Cubango. The extent of UNITA's warfare preparations became evident in December 1998 when conventional war started after a failed Government attempt to take UNITA strongholds of Andulo and Bailundo.

10. The situation changed dramatically in September 1999 following the start of a major Government offensive in the central highlands, which led, inter alia, to the capture of the crucial UNITA strongholds of Andulo and Bailundo and forced Jonas

Savimbi to flee. It is now generally accepted that UNITA lost most of its conventional warfare capacity during this Government offensive. Andulo and Bailundo were the nerve centres of UNITA's command and logistical structure. The loss of these towns, as well as the loss of control of other parts of the Planalto, constituted a severe blow to Mr. Savimbi. The loss of the communications centre in Andulo meant disruption of UNITA's command structure, albeit temporarily, and this, in turn, affected the military ability of the organization all over the country.

11. The offensive also meant a loss of key diamond mining areas for UNITA, in particular, around Mungo, Nharea and the Kwanza River, which resulted in diminished revenues to the organization. The loss of Andulo also meant the loss of a safe UNITA base from which to sell its diamonds. Later UNITA recuperated part of its communications capacity and restructured its command structure.

12. The Government forces, having limited UNITA's conventional capacity, continued to pursue remaining major UNITA concentrations around the Namibian border, including the former headquarters at Jamba, which was taken at the end of 1999. The instability along the Namibian border continues today, with UNITA, inter alia, reported to be laying anti-tank and anti-personnel mines in this area. Information available suggests, however, that relatively small groups are involved.

13. The Government forces have also reached the Zambian border, including the major supply base of Cazombo. In the last months, there has been an intensification of fighting in the northern provinces of Uige and Malanje and to a certain extent in Lunda Norte.

14. The fighting has resulted in large influxes of refugees in Namibia, Zambia and the Democratic Republic of the Congo and in a continued serious displacement of people inside Angola.

15. It thus appears that the Government forces have managed to destroy most of UNITA's conventional war capacity and have also substantially limited its warfare capabilities of other kinds in different parts of the country. Before the Government offensive in September 1999, it was possible to talk about UNITA-controlled areas, this is less relevant today, in a situation where UNITA is operating as an insurgent force. To speak about Government-controlled areas and areas not under Government control does not seem to give a good description of today's situation, because areas under Government control still exist where UNITA is able to operate.

16. These changes in the situation on the ground provided the context for the work of the Mechanism and also defined its focus. Whereas the Panel of Experts, to a great degree, had to investigate a situation in which UNITA had been undertaking a major rearmament exercise for a conventional war, followed by a highly intensive conventional war and its aftermath, the Mechanism, except for having followed up on outstanding issues from the report of the Panel relating to the sale and transport of arms and fuel, has found itself with a somewhat different focus.

17. The Mechanism began its work in a situation in which it was not clear to what extent UNITA would be able to continue to impact fuel, arms and ammunition to its areas of operation, that is, it was not clear whether UNITA had access to air strips or to other means of communications and safe supply routes that would allow the organization to import these materials. It was not even clear whether UNITA needed much fuel owing to uncertainty about whether it still had vehicles and heavy

military equipment in its possession and, if it still had such equipment, whether it could still be used for security reasons or reasons of terrain.

18. These questions have never been answered in full, or even satisfactorily. The military changes on the ground have no doubt both severely hampered UNITA's ability to receive equipment and fuel and have lessened its need for them. The destruction of its conventional warfare capability and its return to guerrilla warfare, the loss of airfields/strips and of safe areas as well as the departure from controlled towns and return to the bush support this assumption. Furthermore, sanctions against UNITA have made supply to the organization more dangerous for transporters and much costlier for UNITA.

19. It seems, however, safe to draw the conclusion that, whatever reaches UNITA today, it is highly reduced compared to the period up to the end of 1999. It cannot be excluded that ammunition and small arms still enter the country. Limited quantities of fuel are still imported from Zambia. All information received indicating that this is still the case does, however, also underline that nothing enters in significant amounts and that the supplies are often carried by UNITA across the border on foot. The Mechanism was also informed of reports of airdrops.

E. The imperative of maintaining and improving the implementation of the sanctions against the União Nacional para a Independencia Total de Angola

20. The fact that UNITA procurement of arms and fuel has clearly diminished and also changed in character does not mean that the sanctions in these fields no longer have any function. Nor should the fact that UNITA has less access to diamond mining be taken as a reason not to continue taking all measures possible to deprive UNITA of this crucial source of income. History has shown that Jonas Savimbi is a man with an immense capacity to resurrect himself and to turn his fortunes around. It has been indicated above how Mr. Savimbi was able to make use of the Lusaka peace process to regain strength, after having been severely beaten in 1994, and to emerge in 1998 better and more heavily armed than ever before. The Mechanism is able to describe how he set up his diamond activities to pay for the rearmament. That capacity should never be underestimated. The sanctions and their implementation and monitoring are of utmost importance to help ensuring that this will not recur.

21. As UNITA's traditional allies and arms suppliers and conduits become more hesitant, as a result of publicity and the "name and shame" campaign, we expect UNITA to seek new and unexpected friends and to explore more subtle and refined ways of evading the sanctions. As usual, the lure of diamonds may prove irresistible to some arms brokers and dealers and the need for vigilance and continued monitoring of the sanctions regime against UNITA cannot be overemphasized.

22. The rearming and maintenance of such a strong military force and its continued financing would not have been possible without the structure of UNITA representatives and representation in different parts of the world. In spite of measures taken in many countries to close down UNITA representation, these structures have been reorganized and remain intact, possibly even reinforced by a new structure said to consist of younger, educated UNITA officials who travel

wherever necessary. As mentioned above, the fact that the safe use of Andulo or any other Angolan town can no longer be assured means that virtually all transactions aimed at keeping the UNITA military machinery alive must be undertaken outside Angola. The objective of the sanctions against UNITA representations and senior UNITA officials is to prevent these support structures from maintaining this machinery and to keep them from selling diamonds to procure needed supplies and undertaking financial transactions necessary to that end.

23. In addition to these UNITA structures, the Organization is also availing itself of the services of other structures, which, in their turn, profit from conflicts, the trade in illicit arms and diamonds, and, not least, on the transport of such illicit merchandise. These structures operate through impressive networks in many countries, often without respect for the law of the land. The people and companies involved in these kinds of activities are instrumental in facilitating war and armed conflict and should be exposed and prevented from continuing their activities.

II. Sanctions busting on arms and military equipment

A. Overview of the conclusions of the Panel of Experts

24. Upon completion of its investigations, the Panel of Experts presented a report broadly depicting the methodology resorted to by UNITA in building up a significant military capability in breach of Security Council sanctions (S/2000/203). The report highlighted the role of arms suppliers based in Bulgaria and Ukraine in supplying military equipment to UNITA. It also noted the role, until 1997, of countries such as Zaire, and later Togo and Burkina Faso, in the provision of the proper documentation required for the purchase of arms, that is end-user certificates, as well as facilities for the storage and transit of weapons. Finally the report cited the active participation of individuals acting as arms brokers in the procurement chain.

25. The Mechanism decided to give high priority to investigating violations in the area of arms and equipment cited in the Panel of Expert report, as well as following up on old and new leads. During the period under review, the Mechanism undertook extensive visits to the countries cited in the Panel's report as well as to others to follow up on these leads. The Mechanism held extensive discussions with Governments, international organizations and the private sector as well as with non-governmental organizations (NGOs).

26. In dealing with the arms related component of the sanctions regime, the Monitoring Mechanism has fully taken into consideration the critical issue of the effectiveness of export/import procedures in preventing diversion of arms to UNITA in violation of Security Council resolution 864 (1993).

B. Observations on export procedures

27. The Mechanism has reviewed the export procedures in the arms producing countries mentioned in the report of the Panel of Experts. Countries such as Bulgaria and Ukraine have, as a matter of fact, developed a wide-ranging legislation governing various aspects of the export of arms and dual use goods. The

enforcement of existing legislation is managed through systems in each country in which all relevant ministerial administrations are represented. The responsibilities at each level of these systems are clearly defined.

28. In general, the policies, procedures and practices in both countries fully take into consideration the related international conventions, guidelines and standards embodied in the Wassenaar Arrangement and the Code of Conduct of the European Union, in particular with regard to safeguards to prevent diversion. These observations are also valid with regard to Romania.

C. Observations on the importation procedures and practices

29. The importation procedures in Togo and Burkina Faso do not appear to be governed by specific legislation, or even managed by a body with clearly delineated responsibilities. In general, responsibility for issuing end-user certificates for the importation of arms falls under the auspices of the Minister of Defense. This authority can be delegated to the Chief of Staff of the Army.

D. Observations on the end-user certificate format

30. The Mechanism has noted that the end-user certificate comes under the format of mere administrative correspondence on an official letterhead paper containing no security features other than the official seal, coat of arms and signature of the issuing authority.

31. The lack of a proper framework to manage the importation of arms, in addition to the lack of familiarity of some Eastern European arms-producing countries with the official documents of the countries concerned, has been noted as a source of difficulty and a weak link in the overall export/import process.

III. Findings of the Monitoring Mechanism with regard to arms and military equipment

A. Bulgaria

32. The Government of Bulgaria informed the Mechanism that Bulgarian arms manufacturing companies had exported large quantities of different types of weapons between 1996 and 1998 on the basis of end-user certificates from Togo.

33. Documentation presented to the Mechanism by the Bulgarian authorities included a total of 18 end-user certificates showing Togo as the country of origin. Of the 18 end-user certificates presented, nine were either executed in full or partially, while nine were not executed at all owing to lack of financial cover, according to the authorities.

34. The Mechanism carried out a preliminary examination of the disputed end-user certificates listing Togo as the country of origin. The following discrepancies were observed:

(a) The use of two different languages (French and English) in the same text;

(b) Date pattern (several end-user certificates bearing the same date); the Mechanism raised this issue with the Government and was informed that this was due to the involvement of several companies in the exports.

The following military equipment was exported from Bulgaria under the said end-user certificates (1997-1998):*

Artillery and missile systems	
ZU23-2 anti-aircraft gun	20
122 mm propelled canon (2C1)	18
RPG-V7 anti-tank rocket	6 300
RPG-7V anti-tank launcher	500
STRELA-2M anti-aircraft missile	100
STRELA-2M missile launcher	20
Infantry	
RPG-7V rocket launcher	1 000
82 mm mortar bomb	20 000
AK47 M1 assault rifle	790
Ammunition	
122 mm round for 2C1	1 896
30 mm round for 2A42 HE	5 000
7.62 x 54 mm cartridge	2 000 000
7.62 x 39 mm cartridge	6 000 000
5.45 x 39.5 cartridge	4 000 000
Magazine for AK47	5 000
30 mmVOG-17	25 000
40 mm VOG-25	25 000
30 mm VOG 25	5 000
5.45 x 39.5 mm round	2 000 000
125 mm round for T-64B HE	340
SPG-9 anti-tank grenade launcher	200
PG-9 anti-tank rocket	3 000
SPG-9 anti-tank grenade launcher	50
7.62 mm machine gun PK	400
9 x 19 mm cartridges	100 000

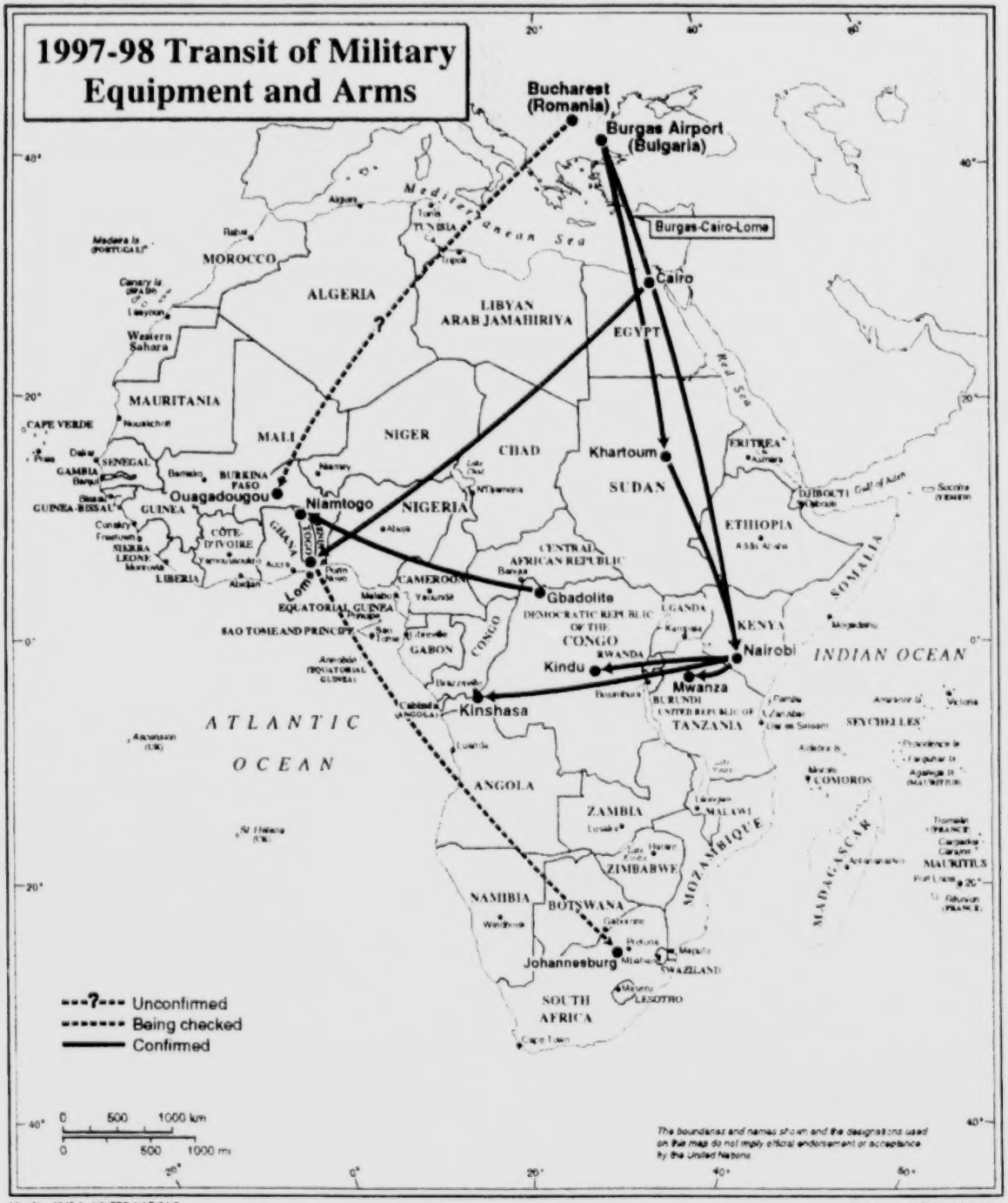
* The total value of the equipment amounted to approximately US$ 14 million.

35. The Bulgarian arms suppliers who exported the equipment were contracted by the firm KAS Engineering, registered in Gibraltar through its representative in Sofia. KAS Engineering is said to have presented the end-user certificates to Bulgaria as well as an affidavit empowering its representative to act on behalf of the Government of Togo. An examination of the invoices and proof of payments related to these transactions reflects that all payments were settled by KAS Engineering (Gibraltar).

36. Subsequent investigations revealed that some of the end-user certificates had been provided to the representative of KAS Engineering (Gibraltar) through the captain of a flight coming from Togo and some by express mail from Dubai, United Arab Emirates. Further investigations disclosed that the mail was sent by a Mr. Victor Bout. With regard to the settlement of the transaction, the representative said that he had been paid through a transfer from a Standard Chartered Bank account (details not available).

37. The Bulgarian authorities informed the Mechanism that, with only one exception, the company Air Cess, owned by Victor Bout, was the main transporter of these weapons from Burgas airport in Bulgaria. The only other transporter known to the Mechanism is a company known as Pollet Air (POT), a joint stock company based in Voronezh, Russian Federation.

38. An investigation of the route taken by the 38 flights, which carried the said weapons, shows that the majority of these flights headed directly for east and central Africa, transiting the Nairobi and Khartoum airports, with final destinations indicated as Kindu, Democratic Republic of the Congo, or Mwanza, United Republic of Tanzania. One of the 38 flights from Burgas transited Cairo and Lomé with its destination indicated as Johannesburg, South Africa. The Mechanism has written to the countries concerned for their comments concerning these flights. A map illustrating these Air Cess flight routes is shown below:



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B. Romania

39. The Romanian authorities informed the Mechanism that Romanian companies had exported arms between 1996 and 1999 on the basis of end-user certificates from Togo and Burkina Faso. The Romanian authorities presented the Mechanism with the end-user certificates showing Togo and Burkina Faso as the countries of origin. All the certificates made available to the Mechanism were fully executed.

The following military equipment was exported under the said end-user certificates

Exports from Romania to Togo (1996)

Date	*Type*	*Quantity*	*Cost in US$*
28/3/96	7.62 mm rifle type: assault	2 000	156 000

Exports from Romania to Togo (1999)

Type	*Quantity*	*Cost in US$*
7.62 x 54 machine gun type PKNS	200	276 400
7.62 x 54 cartridges	2 000	180 000
40 mm launcher type RPG 7	40	29 600
40 mm HE rocket type 0G7/40	80	3 520
7.62 x 54 semi-automatic rifle type PSL with 10 magazines	2	1 260
Total	**2 322**	**490 780**

40. The broker of the arms purchased on the basis of the end-user certificate from Togo in 1996 was Starco Investment and Trade, registered in Israel. The shipment, labelled "technical equipment", was transported on board MRV/601 (AVIA Services, Bulgaria) with the destination indicated as Lomé. East European Shipping Corporation, a firm based in the Bahamas and represented in Europe by a company based in the United Kingdom of Great Britain and Northern Ireland, known as Trade Investment International Limited, was the broker of the 1999 shipment. The equipment labelled "technical equipment" was shipped on board the Panamanian vessel "Kuraka" with the port of discharge indicated as Lomé.

Exports from Romania to Burkina Faso (22/03/1999)

Type	*Quantity*	*Cost in US$*
7.62 x 30 mm cartridge		
SA 177 Strella	999 600	84 966
2A 94 (917232M)	40	124 000
Launcher Strella	10	20 000

41. The authorities informed the Mechanism that the broker of the shipment from Romania destined for Burkina Faso was Armitec, a company headquartered in Larnaca, Cyprus. The equipment was transported on board a flight on Acvila Air with the destination indicated as Ouagadougou, Burkina Faso.

C. Ukraine

42. The Government of Ukraine informed the Mechanism that at no point did the Government nor a private Ukrainian company sell arms on the basis of certificates from Togo or Burkina Faso.

D. Togo

1. End-user certificates

43. During the Mechanism's first visit to Togo, it was informed by the authorities that they did not issue the 18 end-user certificates that surfaced in Bulgaria. They, did, however, admit to having issued one end-user certificate in July 1997, which was signed by Colonel Assani Tidjani (then Army Chief of Staff, now Minister of Defence), which was subsequently handed over by him to a representative of UNITA, Mr. Marcelo Moises Dachala, "Karrica".

2. Seized military equipment in Togo originally destined for UNITA

44. The Monitoring Mechanism addressed the issue of the equipment destined for UNITA, which it had seized with the Togolese authorities. The Mechanism was informed that the equipment had been transported to Togo by three (3) Air Cess flights, the details of which are indicated below:

15 July 1997

Arrival: 14:50 Flight LZAZC ACS Departure: 16:08	From: Khartoum Destination: Johannesburg

22 August 1997

Arrival: 18:17 Flight ELRDT ACS Departure: 19:25	From: Nairobi Destination: Johannesburg

24 August 1997

Arrival: 18:17 Flight ELRDT ACS Departure: 22:19	From: Johannesburg Destination: Johannesburg

45. When the Mechanism requested the Togolese authorities for information on the country that exported the arms in question, it was advised that the exact source of supply of the consignment had not been established as the information available was written in Cyrillic characters. It is disturbing that more than two years after such a large consignment of weapons arrived on Togolese soil, its origin is yet to be determined. The Togolese authorities have provided the Mechanism with the list of equipment seized and samples of pictures (see annex A).

E. Movement of military equipment from Zaire to Togo

46. The Mechanism was informed by the Togolese authorities of two instances of military equipment being moved from Gbadolite, in the former Zaire, to Niamtougou, Togo, which occurred, respectively, on 17 and 18 May 1997, on the occasion of the arrival of ex-President Mobutu Sese Seko. The records of the Army Chief of Staff, who operated flights at Niamtougou, confirm the information. Details of these flights are briefly described below:

17 May 1997

Type: IL 76
Registration: UK 76844
Arrival: Niamtougou
From: Gbadolite/Zaire

The flight departed the same date with its destination indicated as Gbadolite.

18 May 1997

Type: Antonov 12
Registration: UR 82066
Arrival: Niamtougou
From: Gbadolite

47. The flights proceeded on the same date with destination indicated as Lomé, after which no further details of flight movements are given. The next destination following this stop-over has not been indicated by the Togolese authorities and is being investigated.

F. Burkina Faso

48. The authorities in Burkina Faso denied having ever issued the end-user certificates that surfaced in Romania in 1999. When the Mechanism provided the Government with the end-user certificates submitted by Romania for the period between 1996 and 1999, which indicated that Burkina Faso was the country of origin and bore the name of Colonel Gilbert Diendière, "Chef d'État Major de la Présidence du Faso", the authorities denied ever issuing the said documents and claimed that they were forgeries. The Mechanism also met Colonel Diendière and presented him with the documents. Mr. Diendière denied ever having signed the documents; nor could he speculate as to who could have had access to documents with his signature.

G. Forensic study of end-user certificates

49. The Mechanism decided to have a forensic examination undertaken. It visited Burkina Faso and Togo to secure original samples of signatures and seals, after which it visited Bulgaria and Romania to complete the analysis on the basis of the original end-user certificates. Following this examination, it concluded that:

(a) Eighteen (18) end-user certificates that surfaced in Bulgaria featuring Togo as the country of origin were forged;

(b) The affidavit empowering the representative of KAS Gibraltar was also forged;

(c) The two end-user certificates that surfaced in Romania featuring Togo as the country of origin were forged;

(d) The end-user certificates featuring Burkina Faso as the country of origin were authentic.

IV. Analysis and conclusions of the Monitoring Mechanism

A. Arms export dimension

50. The Mechanism holds the view that the Bulgarian export control authorities and the Bulgarian supplying companies have acted on the basis of end-user certificates that they considered authentic.

51. The explanations given with regard to the multiple end-user certificates bearing the same date have, after verification, been proven correct. Indeed, the six end-user certificates dated 29 September 1997 were dealt with by five supplying companies.

52. The same observation applies with regard to Romanian export control authorities and supplying companies.

53. In general, while the export control systems and procedures we have reviewed contain safeguards to prevent diversion of weapons to embargoed countries and other entities, the Mechanism would nonetheless like to stress the need for arms exporting countries to strengthen their verification methods. It should be noted that millions of dollars of weaponry have been exported on the basis of forged end-user certificates. It should also be recalled that the Panel of Experts equally addressed the issue of forged Zambian end-user certificates that surfaced in the Russian Federation, Bulgaria and Ukraine.

B. Arms and equipment exported from Bulgaria

54. The Mechanism considers that there is reasonable ground to conclude that all the equipment in question exported from Bulgaria during the time period under consideration was destined for UNITA. In reaching this conclusion, the Mechanism has taken into account the facts, findings and circumstances surrounding the exports detailed above, noting the following in particular:

(a) The handing over by the Togolese authorities in July 1997 of an authentic end-user certificate to UNITA;

(b) The appearance in the same period of large scale forgery of 18 Togolese end-user certificates;

(c) The fact that the original copy of the end-user certificate handed to UNITA did not surface anywhere among the arms suppliers;

(d) The routes for the aircraft that carried these weapons have been established as being for Burgas onward to destinations in Central and Eastern Africa.

C. Forged end-user certificates

55. The Mechanism strongly believes that the genuine end-user certificates handed over to "Karrica" have been used as a model for the 18 subsequent end-user certificates submitted to the Bulgarian authorities. This assertion is based on the following sequence of events:

(a) The forged end-user certificates bear the signature of Colonel Assani Tidjani, the same signatory of the authentic end-user certificates handed over to UNITA through "Karrica" in July 1997;

(b) The subsequent appearance of the forged documents from July 1997 onwards.

56. The provision to "Karrica" of a genuine end user certificate demonstrates that UNITA operated in Togo with the consent and cooperation of Togolese authorities during the period in question. It is therefore reasonable to conclude that all events described concerning Togo could not have taken place without the consent or complicity of the authorities in the country.

D. End-user certificates from Burkina Faso

57. Considering the results of the forensic study and the denial by the authorities of Burkina Faso to have issued the end-user certificates, the Mechanism is of the view that the equipment exported from the Romanian companies was ultimately diverted. The determination of the final destination requires further investigation.

E. Military cooperation between the Ugandan and Rwandan armed forces and UNITA

58. The Mechanism has addressed the issue of military cooperation with the relevant authorities in both Rwanda and Uganda and has obtained contradictory explanations. In spite of these explanations, the Mechanism is of the opinion that the issue is to be viewed in the broader context of the conflict in the Democratic Republic of the Congo and the inherent dynamic of alliances and counter-alliances. The Mechanism also holds the view that a degree of tactical one-time cooperation, dictated by the imperatives of the battlefield has actually occurred between the Rwandan armed forces and UNITA. That operation also included a group of the Ugandan military.

F. Equipment seized by government forces from UNITA

59. The Mechanism requested the Government of Angola to make available to it detailed information on the equipment captured by the government forces from UNITA at Andulo and Bailundo and other locations. The listing of the equipment

provided along with serial numbers and indication of country of production is broadly categorized as follows:

(a) RPG-7, Uragan, 100/122 mm canon, for which the country of production is indicated as the Ukraine;

(b) AK-47, BM-21, BMP-2, for which the country of production is indicated as the Russian Federation;

(c) PKM machine gun, M-60, for which the country of production is indicated as China.

60. The authorities of the countries concerned have been requested to evaluate the details given and to formulate their remarks and/or observations, in particular with regards to the production or shipment dimension of the issue.

61. The Mechanism is aware that the country of production is not necessarily the exporter. The Mechanism also notes that the full spectrum of sources of supply of weapons to UNITA has not been fully unveiled during the time allotted to it.

V. Current status of projects on the profiling of arms dealers

62. The Mechanism has focused attention on the individuals mentioned in the report of the Panel of Experts. The assistance of Interpol has been sought in order to gather intelligence about the individuals concerned and their activities in relation to the violations of Security Council resolutions.

63. The list forwarded to Interpol has been dispatched to the member States of that organization and feedback is awaited.

VI. Cooperation with the Wassenaar Arrangement

64. The Mechanism visited the headquarters of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies in Vienna to discuss the weaknesses observed in the overall arms import/export process and possible initiatives to curb the illicit traffic of arms into conflict zones. We welcome the cooperation extended by the Executive Secretary of the Arrangement as reflected in a communiqué issued at the end of the last Ministerial meeting, which expressed full support for the implementation of the Security Council resolutions against UNITA.

VII. Sanctions concerning petroleum and petroleum products

65. As indicated above, the present report is being presented at a time when UNITA has suffered a severe loss of major military equipment and hence its capacity to wage and sustain a conventional war has been weakened. The fact that UNITA has resorted to guerrilla warfare means that the demand for petroleum and petroleum products for its war machinery is much reduced compared to the period before September 1999, when its tanks, trucks and other vehicles were still in action. Petroleum was also important at that time for the generation of electricity for the then large settlements such as Bailundo and Andulo during UNITA consultations

with the Government of Angola as well as with other Governments. The view was consistently expressed that petroleum is presently of reduced importance to UNITA owing to the changed situation on the ground.

66. It goes without saying that limited quantities of fuel are still required by UNITA to generate electricity and to run whatever remains of the motorized equipment in the service of the movement. The Angolan Government and the international community at large should, however, remain vigilant for any signs of increased use or stockpiling of the commodity by UNITA.

67. During its visit to Zambia the Mechanism heard reports of limited quantities of fuel being transported to eastern Angola from sources across the border in Zambia. If this is taking place along the long border dividing the two countries it is likely to be the work of enterprising Zambian nationals.

68. During its visit to Botswana, the Mechanism followed up on a consignment of fuel, reported to be in the possession of a national of Botswana, Mr. Denis Coghlan, which was suspected to have been destined for UNITA. The Mechanism was informed by the Government of Botswana that an investigation had been carried out on the matter. They informed the Mechanism that Mr. Coghlan had explained that the drums of fuel had been destined for Rwanda but had to be returned to source in South Africa due to logistical problems. Whatever the case, the Mechanism was informed that the situation was being kept under constant monitoring.

69. The Mechanism also held discussions with Namibia in its capacity as the current chair of the Southern African Development Community (SADC) as well as with the Acting Executive Secretary of SADC with regard to the implementation of some of the measures recommended to SADC under Security Council resolution 1295 (2000) concerning possible controls of the movements of petroleum and petroleum products in the subregion. The Mechanism was informed that the matter had been referred to the SADC sectoral committees for expert consideration and that a report on the matter is expected in time for the ministerial session to be held early in 2001.

VIII. UNITA representation and travel and residence of senior UNITA officials and their adult family members

A. Importance of UNITA representation abroad

70. As already stated in the report of the Panel of Experts in the interim report of the Mechanism presented on 18 October 2000, UNITA representatives and senior officials abroad have a crucial role to play in assuring its continued existence and the advancement of its political and military objectives. The representatives and senior officials thus not only keep UNITA alive through political propaganda, but, more importantly, are essential for its financial transactions, diamond dealings and arms and other strategic procurements. In view of UNITA's current sharply diminished military strength and its loss of secure areas inside Angola from which to conduct business with dealers from abroad, activities carried out by its representatives abroad are now even more important than before September 1999.

B. Impact of the report of the Panel of Experts

71. During this same period, the sanctions and the pressure on UNITA collaborators created by the report of the Panel of Experts on the operation of UNITA external structures have led some countries to take measures to prevent UNITA's continued presence in their territories, or at least to limit its presence and make it less conspicuous. Other countries claim that, in spite of a willingness to implement the sanctions, for constitutional reasons or because of binding international conventions relating to refugees and political asylum, as well as other international treaties such as the Schengen Agreement on free travel inside the European countries parties to the agreement, their ability to fully enforce the sanctions against the travel and residency of senior UNITA officials and their adult family members is limited. Compared to the picture presented by the Panel of Experts, it does seem however as if the room of manoeuvring for UNITA abroad has somewhat diminished.

C. Sources of information

72. The Mechanism has used the overview of UNITA representation, travel and residence outside of Angola presented in the report of the Panel of Experts as a point of departure for its work. It has followed it up through several extensive interviews made in different European and African countries with, inter alia, researchers and journalists, representatives of Governments and diplomatic missions, the European Commission, the European Parliament, the Economic Community of West African States (ECOWAS) and NGOs. Particularly extensive discussions have been held in European countries and in Angola with persons who used to be active in the UNITA structure under the leadership of Jonas Savimbi, but who no longer support his military ambitions.

73. Based on these interviews and discussions, on information disseminated by UNITA or given to the Mechanism by different NGOs and other organizations, the Mechanism finds that the structures, objectives and strategy of the external representations remain to a large extent the same as those described in the report of the Panel of Experts. Certain significant changes, however, seem to have been made, no doubt at least partly due to the increased international attention created after Ambassador Fowler presented the report of the Panel of Experts to the Security Council. The Mechanism considers that the picture presented below is as accurate as could be possibly attained, considering that it aims at describing an organization that operates in a clandestine manner, maintaining a high degree of secrecy even within its internal structures. In addition, senior UNITA representatives, even though they are based in one country, are known to maintain a high degree of mobility.

D. UNITA structures abroad

74. Looking at the set-up of UNITA structures, it is still correct to say that the most important bases for direct UNITA activities are found in certain European, western and southern African countries as well as in the United States of America. These countries are used as places of residence for UNITA representatives and senior officials and in many of these countries structures exist that serve as fronts for the organization. Other countries indirectly facilitate the continuance of UNITA

activities through the presence of dubious commercial structures serving as particularly important dealers and "go-betweens". In paragraph 4 (a) of Security Council resolution 1127 (1997), sanctions on the entry or transit into a country or the suspension of visas or residence permits of UNITA representatives are imposed, however, the paragraph also states that nothing should oblige a State to refuse entry into its territory to its own nationals. This has led UNITA to make use, on a more systematic basis, of nationals of the country in which it operates, be they of Angolan origin or simply friends of the organization.

75. Most countries have by now formally ended UNITA representation in their countries. The Mechanism has received information from several Governments about the measures undertaken. In the country by country descriptions below, the term "representative" does not mean that the persons indicated are officially recognized as such by their host countries. The Mechanism has preferred to use that description of their status rather than the term "unofficial representative" as used by the Panel of Experts, since this is how these people are regarded from within the organization itself. The Mechanism would also like to underline that, in spite of measures adopted by Governments to end formal UNITA representation and to cease any activity in the name of UNITA, the organization has found other ways to maintain its presence in several countries in a way that does not substantially differ from its previous legal entity. The use of NGOs as front organizations is one important and efficient way of circumventing the sanctions, not least in view of the fact that freedom of association often is constitutionally guaranteed.

E. Tasks of the structures

76. An examination of UNITA's presence and representation in different countries of the world shows that one function is common to all: to ensure high-level and other useful contacts of political, economic and other value to the organization. European, African and American politicians are maintained as contacts as are, for example, businessmen and military officers who can be relied upon when necessary. Politicians seem to play a particularly interesting role. They help to counter efforts to criticize UNITA or to take measures against the organization or its members. They also act as intermediaries for UNITA in accessing important opinion- or decision-makers in their countries.

77. Other important tasks, such as the procurement of merchandise necessary to maintain the organization inside Angola, ensuring necessary financing for such procurement as well as furnishing financial means to cover the cost of maintaining representational and other activities, including students, family members and property, are divided among different individuals and different countries. Certain countries also play an important role, receiving students coming from the higher echelons of the UNITA structure and providing safe homes for their family members.

78. In addition to this, the representatives, activists and supporters also act as part of UNITA's information machinery. Such activities are particularly evident in Portugal, a country from which a great deal of material is disseminated, press statements made and other activities undertaken. UNITA also disseminates information through an important informal network of associates in South Africa from the apartheid era.

F. UNITA operations outside of Angola

79. The external organization of UNITA has always been tightly controlled by Jonas Savimbi himself. The deteriorated security situation and reduced access to safe communications channels give reason to believe that such control has lessened during 2000. Mr. Savimbi is said to be assisted by a number of individuals, including the UNITA secretary-general, Lukamba Paulo Gato, and its foreign secretary, Alcides Sakala, in controlling and maintaining contact with the UNITA organization abroad. The organization abroad has been reorganized and, although it is difficult to ascertain with total certainty, seems to contain in its leadership senior UNITA officials residing in different countries, primarily in Europe, with different responsibilities. Information also indicates that, parallel to this structure, there could be another of an even more secret nature consisting of younger officials completely loyal to Mr. Savimbi, who travel to different countries as needed. Certain changes have also been made in regard to the representatives in different countries. The use of not-for-profit organization set-ups continues to provide UNITA with front organizations, replacing former representations that have been closed by Governments after the adoption of the Security Council sanctions.

G. Europe

80. The main actors outside Africa are found in France, Portugal, Italy, Belgium, Ireland and Switzerland. One important front organization, the Commission for Justice, Peace and Reconciliation in Angola (Commicão para Justica, Paz e Reconciliacao em Angola (CJPR)), has representatives in three of these countries, Italy, Portugal and Ireland. In Belgium, Casa de Angola serves as a front for UNITA. In spite of the sanctions prohibiting senior UNITA officials to travel, the UNITA organization in Europe manages to meet, often in Belgium and in Portugal. The Schengen Agreement, to which most European Union member countries are parties, makes such movement more difficult to prevent, as does the fact that several of the senior representatives have acquired European nationality. The problems caused by the poor quality of the United Nations list of individuals covered by the sanctions and the difficulties in controlling such a list, albeit one of better quality, will be dealt with separately.

81. For historical reasons, the UNITA presence in Portugal is particularly strong. Although the Government of Portugal, in compliance with Security Council resolution 1127 (1997), has closed the UNITA office, the Commission for Justice, Peace and Reconciliation (CJPR) fulfils the same objectives. The "representative" of UNITA in Portugal is Carlos Morgado. This information was given to the Mechanism by many sources and verified in writing, for example by a copy of an invitation sent to diplomatic missions in Lisbon and in a letter sent by Joffre Justino to the President of Portugal. Mr. Justino, who is a Portuguese national, is another important actor in the UNITA external structure and is particularly active in lobbying and disseminating information. He is also mentioned on the letterhead of CJPR as being its representative in Portugal. Antonio Manuel Urbano, "Chassano", a brigadier general, former deputy to Isaias Samakuva in the Joint Commission set up under the Lusaka Protocol and a former member of parliament is also active in Portugal, as are several others.

82. The UNITA presence in France is not as prominent as that in Portugal, but remains important. The most noted member is Isaias Samakuva, who was threatened by expulsion but who has been permitted to remain in the country pending an appeal to the court. Samakuva keeps a low profile in the public promotion of UNITA since the nature of his permit to stay in France makes it risky for him to openly participate in UNITA activities. In addition, Jorge Sanguende, the UNITA "representative" in France, also keeps a low profile, as does the Center for Political and Economic Studies for Development in Angola, the front organization created after the closure of the UNITA representation. Recently, two of Mr. Savimbi's sons have been given important responsibilities for UNITA's financial dealings. These sons, Durao and Dorio Sakaita, are not considered to be very active as UNITA members, in fact their activities have been described rather in terms of them helping their father, but the work they have carried out, in particular by Dorio Sakaita, is important.

83. The importance of the UNITA presence in Switzerland, Italy, Belgium and Ireland is also primarily linked to the influential "representatives" in those countries. Adalberto da Costa Jr., who has both Portuguese and Angolan citizenship, is the "representative" in Italy. He is also referred to by other UNITA officials as the "chief foreign affairs spokesman". He has recently been given a significant role in the management of UNITA's finances and travels extensively in Europe. He maintains contacts with Italian politicians and, according to our information, also with the Vatican, where he is said to have excellent relations.

84. The Angolan born Joao Vahikeny, a Swiss citizen, is the UNITA "representative" in Switzerland; he works closely with Mr. da Costa Jr. and is an important actor in the external structures.

85. Belgium is an important meeting place for members of the external leadership based in Europe. The Mechanism has received several credible indications of meetings that have taken place with members of the European Parliament. The "representative", Azevedo de Oliveira Kanganje, operates from an office that is also the office of Casa de Angola, another front organization registered as a not-for-profit organization. Kanganje is registered as honorary president of the organization, but he is the one who uses its premises and pays the rent. Manuel Zinga, who was mentioned by the Panel of Experts as a close associate of Mr. Kanganje, is said not to be involved. It is emphasized that it is Mr. Kanganje who is important to the UNITA external structure, and that his network within the organization is with senior officials in other countries rather than in Belgium. The functioning of Casa de Angola as a front organization has been confirmed to one of the Mechanism's sources by a member of its board. It was explained that the board is a formality necessary for the registration of the organization and not an actively functioning entity. Mr. Kanganje works with Dorio Sakaita, one of Mr. Savimbi's sons in Paris. In spite of the fact that Mr. Kanganje is the only UNITA official with real influence in the organization, other activists exist in the country. One example is given by the Southern Africa Committee, a Belgian NGO, which, in a letter to the Mechanism, describes as hostile the political activities of the representatives of UNITA during a conference on Angola and the Democratic Republic of the Congo in October 2000.

86. The UNITA "representative" in Ireland, Leon Dias, an Irish national of Angolan origin, is also the representative of the Commission for Justice, Peace and Reconciliation in Ireland, according to its letterhead. Since the beginning of 1997, Mr. Dias has been responsible for organizing UNITA's communications network,

including its satellite and Internet capabilities. The Mechanism was given a very detailed account of the acquisition and installation of communications equipment at Andulo and Bailundo in 1997 aimed at enhancing the radio communications inside the country. The equipment was procured by Leon Dias. In spite of Mr. Dias' earlier assurances, given to the Irish authorities, that he is not a UNITA representative, the Mechanism received information that he remains active to this day. The Mechanism has contacted the Irish authorities, who are actively investigating the matter.

87. In addition to the presence of UNITA in the above-mentioned countries, activists/officials are also found in Spain, Germany and the United Kingdom of Great Britain and Northern Ireland. It is however the opinion of the Mechanism that structures in these countries are of less importance and relatively inactive.

H. North America

88. The UNITA structures in the United States of America seem to have decreased in importance, or at least become much more discreet. Jardo Muekalia, the presumed "representative" of UNITA, is said to be part of the leadership of the new external structure, with particular responsibility for America.

I. Africa

89. After the fall of Mobutu Sese Seko in 1997, the UNITA representation in Lomé, Togo, is described as having been turned into an external headquarters for the organization. Contacts with Togolese authorities were reported to be very good at the highest levels. As a consequence, senior UNITA officials and their families found a safe haven in the country. The children were enrolled in schools and provided with legitimate documents. UNITA officials and students were also given ECOWAS travel documents in addition to their regular passports. Parallel to the work of the "representative", Joaquim Ernesto Mulato, and later Joao Baptista Rodrigues Vindes, many other, very senior UNITA officials used Lomé for their special operations, including the procurement of arms. Marcelo Moises Dachala, "Karrica", and Helder Mundombe, "Boris", are two of these representatives. Lizette Pena, widow of Jonas Savimbi's nephew Salupeto Pena, has been one of the senior UNITA officials acting in Togo and is said to remain in the country.

90. In May 2000 the Togolese authorities issued an order to expel 56 Angolan citizens from Togo. What exactly happened in the implementation of that order is not clear. Interviews with Togolese authorities provide different versions of how the expulsion order was carried out. According to one version the individuals were expelled to Ghana and Benin. In another, the persons concerned were left at the border, and in the third they were given the expulsion order and left to comply with it on their own volition. The Mechanism has recently written to the Governments of Benin and Ghana inquiring whether they have received the Angolans in their countries. No response has yet been received.

91. Following our interim report, the Mechanism received information that some of the persons expelled did leave Togo, but that others remained. The Vindes family remained in Lomé but transferred to temporary lodgings in the suburbs, while information made available to the Mechanism indicates that Mr. Vindes himself moves a lot and uses Burkina Faso and Togo as his bases. Lizette Pena together with

her family also stayed in Lomé. Her telephone number has been found to be still in use.

92. A number of the students on the list were moved to a village outside the northern Togolese town of Sokode. The student interviewed in Luanda in August and again in November was one of them. Some of Jonas Savimbi's children are said to have gone to Burkina Faso and Côte d'Ivoire.

93. The Mechanism has also been informed that two persons on the expulsion list do not exist. In addition, the Mechanism has found certain discrepancies in the information regarding the ECOWAS travel documents issued to the persons expelled. Considering also the varying explanations received from the Togolese authorities, the Mechanism finds it likely that certain persons on the expulsion list still remain in Togo. The Mechanism has also noted that the Togolese expulsion list contained several minors who are not affected by the sanctions regime. (Senior UNITA officials and their adult family members alone are subject to sanctions.)

94. Burkina Faso seems to have become an essential "country of operation" for UNITA since Kinshasa stopped being available after the fall of Mobutu Sese Seko in 1997. Ouagadougou has been the "home base" of the important "Special Ambassadors", Helder Mundombe, "Boris", and Marcelo Moises Dachala, "Karrica", as well as of Joao Baptista Rodrigues Vindes, another very important senior UNITA official who was based in Togo as "representative", but who is now said to move between Togo and Burkina Faso. Joao Katende, "Jo Prata", a director of UNITA's mining business, is, according to information given to the Mechanism, also in Burkina Faso. As mentioned above, after the beginning of 1999, a lot of activities earlier handled in Lomé were moved to Ouagadougou, including diamond transactions. The "representative" in Burkina Faso is said to be Julio Kanyualuku and his deputy David Kokelo.

95. The Government of Burkina Faso has issued a decree according to which all Angolans, except for those on official Government mission, are prohibited from entering or staying in Burkina Faso. In a letter to the Mechanism, the Government reported that the information given above regarding the stay in the country of the senior UNITA officials mentioned is unfounded and that these persons have not been found in the country. The Government also reported that the persons on the United Nations list of senior UNITA officials were, in particular, targeted by the decree. However, the senior officials mentioned above are not yet included formally in the United Nations list, although included in a draft list compiled by the Mechanism. Neither is it likely that they are using Angolan passports, since UNITA officials are known to use passports of many countries, but generally not Angolan passports. It is therefore likely that they still remain in Burkina Faso, in spite of the measures taken by the Government.

96. Côte d'Ivoire has been, and probably still is, important to UNITA, largely due to the Ivorian passports issued to UNITA officials, not even necessarily those at senior levels. The Mechanism has seen several examples of such passports and has been informed of the existence of many more. In these passports, UNITA officials are said to have Ivorian nationality. The passports use the real name of the UNITA official and indicate his/her place and country of birth. During a visit of the Mechanism to Abidjan, we were informed that the Government has decided to replace all passports in order to remove from circulation passports that were given "loosely" to non-Ivorian nationals.

97. The "representative" in Côte d'Ivoire is said to be Adelio Chitekulo, previously based in Paris. Another very prominent senior UNITA official is Jorge Marques Kakumba, who is well situated in social circles in Abidjan. Mr. Kakumba is an old friend of Jonas Savimbi, although some information has it that he is presently out of favour. The Mechanism has not been able to verify all information available regarding Mr. Kakumba, but independent sources indicate that he is, inter alia, involved in the arms trade.

98. In Morocco, the UNITA presence seems to have weakened recently. Its former "representative", Jaime Furtado, is said to have been told to leave the country. He is now supposedly working out of Portugal, while trying to re-establish himself in Morocco. Mr. Furtado is considered to have been involved in managing UNITA's financial assets in Morocco.

99. Being a neighbouring country to Angola and sharing with it a very long border, it is obvious that Zambia must be considered important to UNITA. This seems particularly relevant during the last year, during which the organization has been faced with several military operations by the Angolan national army in the border provinces of Moxico and Cuando Cubango. The senior resident official is said still to be Eduardo Chali, but owing to the influx of UNITA officials to Zambia, the situation is said to be unclear in regard to who is considered to be representing the organization. Helder Mundombe, "Boris", who grew up and went to school in Zambia, is said still to visit the country.

100. After the Government offensives that began in September 1999, the number of Angolan refugees has increased considerably. A special refugee camp was set up at Nangweshi in the Western Province for refugees from Jamba after it was lost to Angolan Government forces at the end of 1999. Information from different sources indicate that there is a considerable risk that this camp also functions as a kind of a clandestine UNITA base or safe haven. Jamba was a very well organized, and controlled UNITA stronghold. The Mechanism has been able to ascertain that the present leadership of Nangweshi, at least in part, consists of persons that had important functions in the "old Jamba". The Mechanism has also been alerted to the risk of forced recruitment of minors and to the likelihood that the camp is also being used as a safe haven for UNITA soldiers who are said to be able to reach the camp after a two-day walk from the border through sparsely populated areas. These concerns were raised with the Zambian Government during a recent visit to the country.

101. Namibia is another country bordering Angola that UNITA is known to make use of for hiding and for different activities. An increased border control by the Governments on both side of the border and military operations carried out by the Angolan army north of the border has made border transit more difficult, but probably not impossible. After the presentation of the report of the Panel of Experts, the Government of Namibia transmitted to the President of the Security Council a very detailed and informative report of actions taken and information gathered in relation to certain questions raised by the Panel (S/2000/752).

102. South Africa continues to be used by UNITA for many different purposes. The informal network in the country has already been mentioned in relation to the dissemination of information. It also functions in regard to commercial activities. Mines Tadeu, formerly serving as the "chef de cabinet" of the UNITA office at the

Joint Commission set up in Luanda within the framework of the Lusaka Protocol, is actively promoting UNITA and facilitating its activities.

103. The account given above of UNITA external activities is not extensive, but it does give an indication on how UNITA works and continues to function abroad in spite of the sanctions imposed prohibiting both the existence of UNITA representation, the entry into and residence in a country by senior UNITA officials and their adult family members. The Mechanism has, during the period of its mandate, asked Governments concerned for their comments and information relating to information regarding, inter alia, the presence of senior UNITA officials. Some of the information given above has been received so late that it has not been possible to contact the Governments before the finalization of the present report. The Mechanism would very much appreciate any information Governments can provide to shed further light on how the external structures of UNITA work.

104. As stated above, most, if not all, countries seem now to have, at least formally, closed UNITA representation. There can, however, be no doubt that there still exist structures that, to the extent possible, function as representatives of UNITA. In some countries they have been transformed into non-profit organizations, NGOs or similarly front organizations. In other countries the continuation of the work of UNITA has been assured differently. Being fully aware of the importance of the freedom of association, the freedom of speech, the Mechanism maintains that UNITA should not be allowed to abuse these freedoms, and that Governments need to be vigilant to ensure that this does not occur.

105. In its interim report, the Mechanism discussed in detail the importance of the United Nations list of senior UNITA officials and their family members, which constitutes the basis for action to be taken by Governments in order to assure the implementation of the sanctions relating to travel to and residence in a country. That list needs to be continually updated, in particular regarding persons who have left UNITA and the rule of Mr. Savimbi and thus ought to be deleted from the list. This work should be prepared and updated by the Secretariat every two months, in accordance with the guidelines adopted by the Sanctions Committee. An updated and improved list has been submitted to the Sanctions Committee by the Mechanism. Once approved, the list will be available on the Mechanism's web page (www.un.org/Depts/dpa/docs/monitoringMechanism.htm).

106. As mentioned earlier, UNITA senior officials who have been given citizenship from countries in which they are operating have become more useful to the organization, since no country is obliged by the sanctions to refuse entry to its own nationals. In Europe, the nationality, or, in practice, even a residence permit in one of the countries members of the Schengen Agreement is particularly useful. The Schengen Agreement means, inter alia, that border control is abandoned between its member States, that that group of countries has a common outer border towards countries not parties to the agreement and that visa regulations are the same for all the member States.

107. Although control of UNITA senior officials travelling inside the countries bound by the Schengen Agreement is very difficult, this does not mean, in the view of the Mechanism, that the sanctions are not valid inside that region. As far as the Mechanism has understood, countries are still able to reject entry into their territory by unwanted individuals. Even though the lack of border control is likely to mean that the individuals will be able to enter, they should still be considered to be doing

so illegally, and thus it should be possible to apprehend them should the authorities be made aware of their presence. The Mechanism would hope that this could be looked into by the Members of the Schengen Agreement with a view to closing this important loophole in the enforcement of the sanctions.

108. It is also said that a national of one State member of the Schengen cannot be expelled from another of its member States. Not having had the time or capacity to look into this matter, the Mechanism would also hope that this possibility of circumventing the sanctions could be closed. Adalberto da Costa Jr., a Portuguese national who is the representative of UNITA in Italy, is a case in point.

109. The Schengen Agreement seems to conflict with the sanctions imposed by resolution 1127 (1997), or is at least used as a reason for not implementing them fully. Another conflict exists in the field of the international instruments relating to refugees and asylum. Although paragraph 10 of resolution 1127 (1997) calls upon States to act strictly in accordance with the provisions of the resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreements, many countries consider themselves unable to expel the senior officials and send them to Angola for reasons relating to the adherence of international instruments regarding refugees and political asylum.

110. ECOWAS is another regional arrangement of interest when examining the implementation of the sanctions against UNITA. As was mentioned above, the senior UNITA officials and family members said to have been expelled from Togo were in possession of ECOWAS travel documents issued by Togo. These documents were later cancelled, as has been confirmed by the Executive Secretary of ECOWAS. Since ECOWAS travel documents obviously would facilitate the movement of senior UNITA officials in the ECOWAS member countries, the Mechanism would hope that the organizations would look into this problem so that this loophole could also be closed.

IX. The role of transport in the violation of the sanctions against UNITA

A. Overview

111. This section of the report focuses on the role of transport in sanctions-busting in Angola, a matter which received attention in the report of the Panel of Experts. The individuals, companies, route and landing areas play a vital role in keeping UNITA operational. In fact, transportation and its related logistics could be seen as the lifeline for UNITA. Since it is so important for UNITA, it is vital for the international community not to simply pay lip service to its strategic importance but to take action to disrupt or destroy this logistical network through concerted law enforcement.

112. Over the decades the civil war in Angola has devastated the country's transport infrastructure. Key installations in the road and rail networks have been heavily bombarded, lines of communication destroyed, large areas of land filled with uncharted minefields and the remaining logistical routes in outlying areas subjected to indiscriminate attacks. This situation left air transport as the main avenue for resupplying UNITA forces, particularly during the period between 1997 and

September 1999 when UNITA boasted of large airstrips in places such as Andulo among others. During its investigations, the Mechanism heard reports of airdrops into UNITA territory even under the present changed military circumstances, a situation that once again reveals the strategic importance of air transport to UNITA.

113. Resupply of UNITA through air transport does, however, require aircraft to fly over a number of countries. It requires chartering aircraft, insuring crews, loading and unloading cargo, obtaining customs clearance, as well as ensuring take-off and landing slots in major airports en route. This activity does, by its very essence, leave some form of paper trail which can be used to attempt to reconstruct transactions and routes taken, as well as to identify the roles of those individuals, companies and organizations implicated.

114. In making this reconstruction however, it is important to bear in mind that the planes, pilots, brokers and agents involved in the supply of arms and other embargoed materials operate on the very fringes of legal activity and deliberately circumvent many of the rules that regulate the industry. In this context, and based on the information available to it, the Mechanism is of the view that a number of Air Cess flights mentioned above only touched down on the so-called destinations after delivery of arms to UNITA territory in order to give a semblance of legitimacy. This is corroborated by information given by General Jacinto Bandua, a UNITA defector who reported to the Mechanism that Air Cess flights were known to combine arms with general cargo in order to disguise their missions. It should also be recalled that during this period, the United Nations Angola Verification Mission (UNAVEM) gave reports of Air Cess flights landing in UNITA held territory fairly frequently. It is therefore clear that UNITA is dependent on this activity and the organized networks of brokers, shipping agents and aviation companies who form this lifeline by shifting their operations in pace with the dynamics of the battle field and the ever-changing locations of the UNITA forces.

115. The air transport industry is relatively small and companies operating within it can often be seen as interdependent, in the sense that a pilot/pilot-owner will often sub-contract work if the need or opportunity arises. It therefore goes without saying that in such a small and specialized industry, the majority of the individuals know or at least know of each other, thus creating an informal network.

116. The market is also highly competitive and single aircraft operators can find themselves in a position where taking certain risks could well be one of only a few options available in order to stay afloat economically. Added to the equation is the potentially high rewards that making a few illicit flights can bring.

117. The flag of convenience allows much of the required paperwork and assurances required by any aircraft operator to be circumvented. As will be demonstrated in the present report, whenever Air Cess has been in trouble with the authorities in one country, it has been easy for the airline to relocate to another country overnight without any explanation owing to the fact that a number of countries are ready to provide a flag of convenience with no questions asked. In some instances there are agencies, which advertise that they can, for a fee, register planes with no inspection of the aircraft in the country of registration.

118. There are pilots with military training and combat experience (often from eastern Europe and southern Africa), who, as individuals and entrepreneurs, are

prepared to undertake such activities. Individuals such as Johnny Parreira have been identified as pilots who in the past have flown sanctions busting missions in Angola.

119. Landing heavy cargo planes with illicit cargoes in war conditions and breaking international embargoes such as the one on Angola requires more than individual effort. It takes an internationally organized network of individuals, well funded, well connected and well versed in brokering and logistics, with the ability to move illicit cargo around the world without raising the suspicions of the law or with the ability to deal with obstacles. One organization, headed, or at least to all appearances outwardly controlled by an Eastern European, Victor Bout, is such an organization.

B. Profile of Victor Bout

120. Following is a brief profile of Victor Bout, his companies, his activities and some of his associates.

121. Victor Bout born in Dushanbe, Tajikistan, in 1967, is often referred to in law enforcement circles as Victor B. There is a good reason for this, as he is thought to have at least five aliases that are already known of and it is highly likely that there are several more that are not.

122. The South African authorities have indicated that Mr. Bout, who is resident in the United Arab Emirates, has at least five passports, two of which are Russian and one Ukrainian. He is married and his wife Alla also resides with him in the United Arab Emirates. Information from the United States suggests that his wife's father, "Zuiguin", at one point held a high position in the KGB, perhaps even as high as a Deputy Chairman.

C. Historical overview of Air Cess

123. The company Air Cess first appeared in 1996. As far as records show, Air Cess, registered in Monrovia, Liberia with Victor Bout as its head, moved into offices in Ostende Airport on 1 December 1996.

124. In fact Air Cess moved into offices that had been vacated by a company called Trans Aviation Network Group (TAN Group), a company that had been founded in March 1995. The company was funded by two individuals each having a 50 per cent stake: Michel-Victor Thomas, believed to be French and living in Marseille, and Victor Bout, resident in Sharjah, United Arab Emirates. The company's chief executive officer was a Belgian pilot by the name of Ronald De Smet.

125. At approximately the same time, Mr. De Smet and Mr. Bout co-directed another company called Eastbound BVBA. Precise records for this company have been difficult to find, but it is believed that the company was involved in the export of new and used cars from Western to Eastern Europe.

126. On 31 July 1997 Air Cess moved from Ostende, at approximately the same time as Belgian customs officials stepped up their observations at that airport. At that point in time it is thought that operations were started in the United Arab Emirates, though no exact date is known.

127. On 20 August 1997 Air Cess Swaziland (Pty) Ltd. was formed. The company was also headed by Victor Bout and some of the aircraft that were on the Liberian

register were transferred over to the "3D" prefix for Swaziland. Although registered in Swaziland, the actual operational activity was from Pietersburg Airport in South Africa.

128. Shortly after the formation of Air Cess Swaziland (Pty) Ltd., the company joined with a local consortium and formed a new group, Air Pass, in late 1997. It appears that the local carriers had the established routes and well formed contacts in the area, but lacked capacity. Mr. Bout, through his numerous contacts in the ex-Soviet airforce, was immediately able to provide the required capacity and, in return, took advantage of the established routes and contacts in the southern African region.

129. In 1998, Cessavia, another company, was formed, registered in Equatorial Guinea, although it is now listed as Air Cess. The operations base for the company is Sharjah, United Arab Emirates.

130. Due to tighter regulations and checks in Swaziland, which showed irregular registration of aircraft and many shortcomings in air-worthiness, Swaziland de-registered Air Cess/Air Pass aircraft. At about the same time, Mr. Bout set up other operations further north in Africa. He obtained Central African Airways, registered in the Central African Republic, but using Sharjah and Ras-al-Khaimah in the United Arab Emirates as operational bases.

131. At some point in 1998, though it is not clear exactly when, a Kazakhstan company, IRBIS (an air cargo carrier) was formed with an office in Almaty, Kazakhstan. However, the company has no aircraft of its own, but exclusively charters Air Cess aircraft as and when required. It can be considered that IRBIS forms an Eastern European office for Victor Bout.

D. Current overview of Air Cess

132. The majority of Air Cess operations are based in the United Arab Emirates, Sharjah, in particular, but also in Ras-al-Khaimah and Dubai. However, when looking at the company structure on paper, the locations of registration and operation give a much more complex appearance.

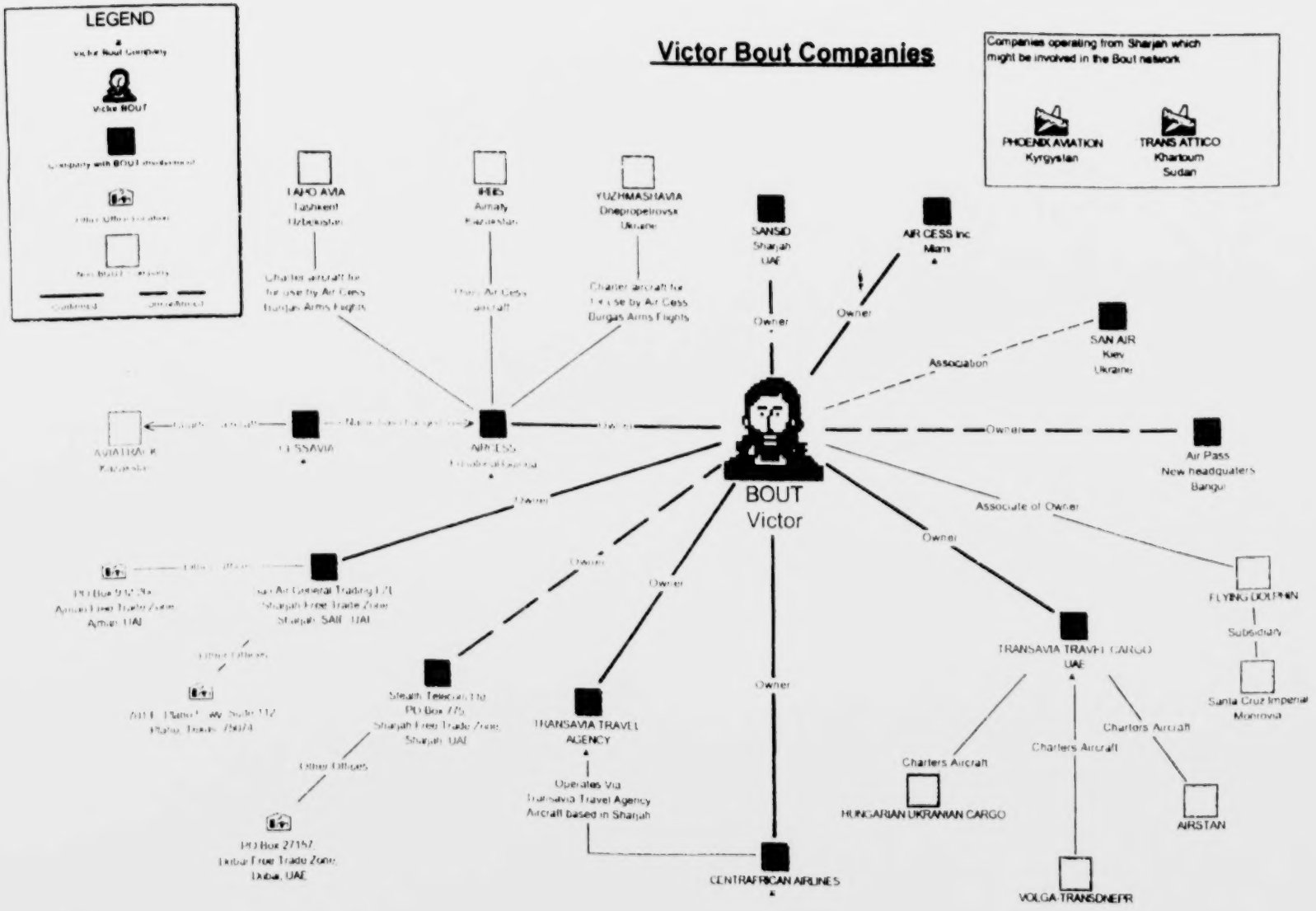
133. Air Cess, which until recently was called Cessavia, is registered in Equatorial Guinea, which provides its aircraft with "3C" designated prefixes. The company's operations office, however, is given as P.O. Box 7837, Sharjah, United Arab Emirates. Air industry information lists Victor Butt as Director (one of Bout's many aliases). The Mechanism has contacted the authorities in Equatorial Guinea and the United Arab Emirates for more information on the matter, and the latter has informed the Mechanism that an investigation has been initiated and remains to be completed. No response has been received from Equatorial Guinea.

134. Central African Airlines is registered in the Central African Republic, which provides the aircraft with "TL" prefixes. The majority of the "TL" aircraft have been changed from "3D" (Swaziland), mainly due to the withdrawal of the licences for irregularities in May 1998. Central African Airlines operates from Ras-al-Khaimah (unconfirmed), but lists an operations office in Sharjah (Transavia Travel Agency, P. O. Box 3962, Sharjah, United Arab Emirates).

135. Even though the two companies apparently have different addresses, they share the same telephone and fax numbers. Transavia Travel Cargo, also based in Sharjah, is linked. In fact they all appear to have originated from the Transavia Network (TAN Group) which originated in Ostende, Belgium.

136. Another company apparently involved in the Air Cess network is the Liberian registered air company Santa Cruz Imperial, a subsidiary of the Flying Dolphin, owned by United Arab Emirates. Although it is registered in Liberia, it lists its operations office as Dubai, United Arab Emirates, though the actual base for the aircraft seems to be in Sharjah. In the past, one of its aircraft, El-Ale, was noted as supplying UNITA forces.

137. Air Cess also provides its aircraft for use by other operators. Victor Bout also has another company, Air Cess Incorporated registered in Miami, United States, in December 1998, which, although it is essentially a paper-based company, does facilitate the 'N' registered number given to North American aircraft.


LEGEND
Victor Bout Companies
Companies operating from Sharjah which might be involved in the Bout network
PHOENIX AVIATION
Kyrgyzstan
TRANS ATTICO
Khartoum
Sudan
LAPO AVIA
Tashkent
Uzbekistan
IHEs
Almaty
Kazakstan
YUZHMASHAVIA
Dnepropetrovsk
Ukraine
SANSID
Sharjah
UAE
AIR CESS Inc
Miami
Charter aircraft for lease by Air Cess Burgas Arms Flights
Charter aircraft for lease by Air Cess Burgas Arms Flights
Owner
Owner
SAN AIR
Kiev
Ukraine
Association
Owner
Air Pass
New headquaters
Bangui
BOUT
Victor
Owner
Owner
Owner
Owner
Owner
Owner
Associate of Owner
Owner
Owner
Owner
Owner
Owner

E. Victor Bout's organization

138. For an organization to operate effectively, it requires an extensive network of contacts and specialists. The section below, although not exhaustive, demonstrates that Victor Bout has acquired such a capability.

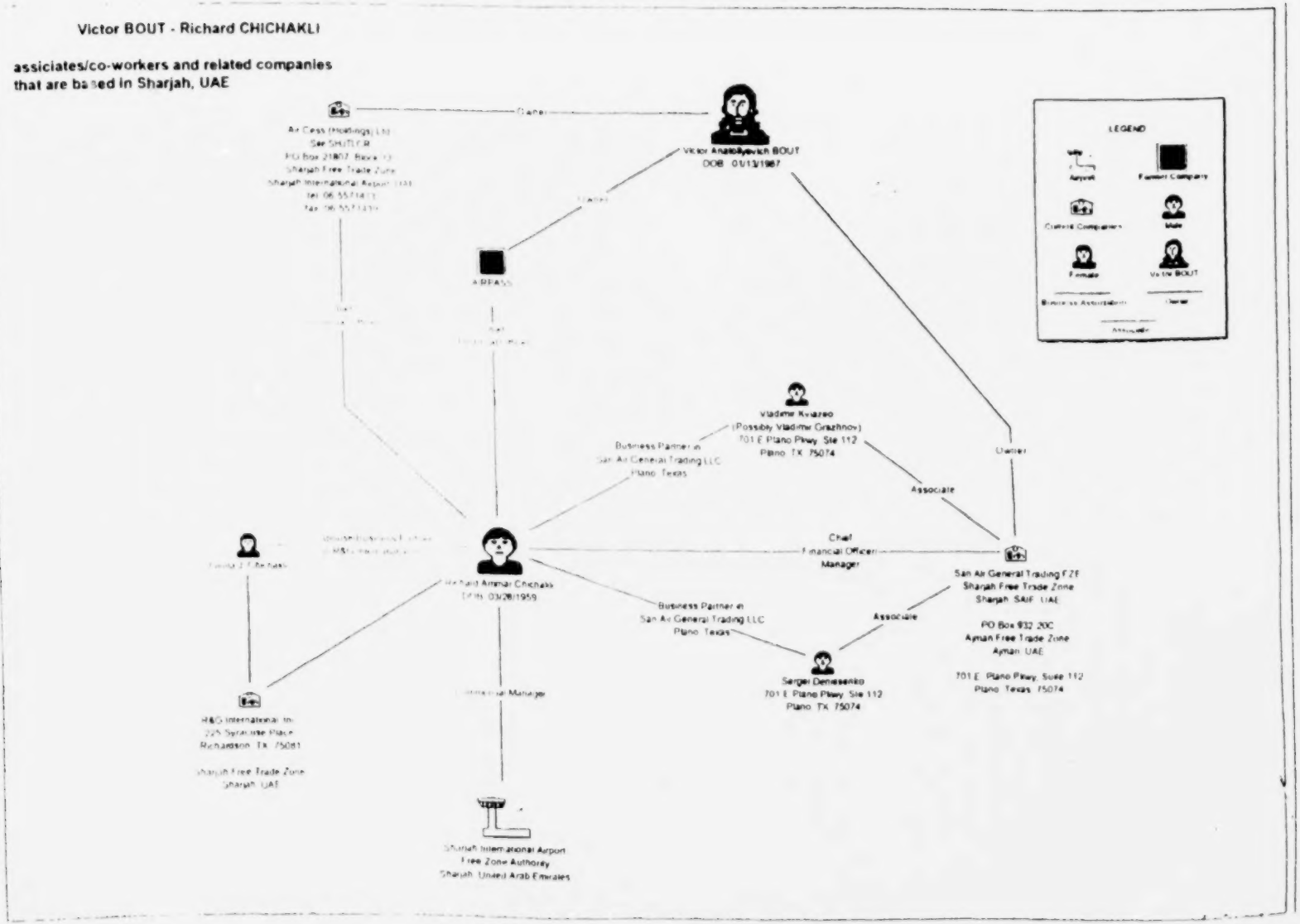
Bout-Chichakli

139. Richard Ammar Chichakli, born in 1959, has been an employee/associate of Victor Bout's for several years. He is a specialist and who has been placed in an ideal position. He is a certified public accountant and a certified fraud examiner with more than 12 years of experience, in addition to his military experience in aviation and air traffic control.

140. Over the last decade, Mr. Chichakli has held senior positions in companies owned by Victor Bout. The chart below illustrates these connections. As chief financial manager, his responsibilities include directing the accounting, financial and reporting activities, including public reporting, auditing and overall responsibility for the financial systems. Indeed this appears to be an important position. What is more, Mr. Chichakli also holds the position of commercial manager at the free zone in Sharjah, United Arab Emirates. There, he is responsible for much of the liaison and commercial site activity, again playing a key role, especially as virtually all of Victor Bout's companies, regardless of where they are registered, operate out of the United Arab Emirates, and from Sharjah in particular.

Victor BOUT - Richard CHICHAKLI

assiciates/co-workers and related companies that are based in Sharjah, UAE



Bout-Orlov

141. Victor Bout is believed to associate with a certain Oleg Orlov, an Eastern European (possibly Russian, Ukrainian or Armenian, his identity has not been confirmed). Mr. Orlov, who is thought to have a company in Dubai called EMM Arab Systems, is also thought to have individuals in his employment who carry/load weapons from the factories to the airport at Burgas.

Bout-Harridine

142. It is not particularly difficult, especially for those who know the system, to obtain or change aircraft registration to certain "less scrupulous" countries. Victor Bout is an associate of a certain Michael Harridine, who is not only able to provide such services, but openly and actively advertises the fact. From 1997 to 1998, Harridine, along with Victor Bout's partner, a Belgian pilot by the name of Ronald De Smet, held the authority to conduct business in the United Kingdom on behalf of the Liberian Aircraft Register.

143. Harridine, through a United Kingdom company based in Kent, "Aircraft Registration Bureau", offers a full range of services on the Equatorial Guinea Civil Aircraft Register, which includes: creation of a company name; air operators certificate (no restrictions); full aircraft/company documentation; ferry permits and crew validations. Air Cess, which Bout operates out of Sharjah, is in fact registered in Equatorial Guinea.

F. Registration of aircraft

144. "Flags of convenience" allow much of the required paperwork and assurances required by an aircraft operator to be circumvented. Should there be any problem however, as was experienced by Air Pass when a new regulator was brought in to oversee the Swaziland register in 1997, de-registration has little effect as it takes only a matter of hours to take the whole company and register it in another country that will not investigate its activities as closely. This does not even cause a logistical problem, as the aircraft do not need to be physically present.

X. Sanctions on diamond trading and financial assets

A. The context of the diamonds

145. Whoever controls Angola's diamonds controls one of Africa's largest diamond resources. There are valuable diamond deposits reported in nine of the country's 18 provinces, and more than 300 diamond-bearing kimberlites have been discovered during prospecting, though most of these will never be economical to mine. Despite the last 10 years of large-scale smuggling, Angola retains economically viable alluvial diamond reserves, the valuable gemstones for which it is famous. Since independence, the civil war has closed down the mining industry twice, in 1985 and from 1992 to 1996. Only one small official mine remained operational in Angola during this period; almost the entire diamond output of Angola was produced by UNITA.

146. Diamonds have been both a strategic resource and a military target for UNITA during its three wars. Of UNITA's three major wars, two were launched at a time of major recession in the diamond industry, in 1980 and 1992. When the third recession started in late 1997, UNITA withdrew from the Cuango Valley mines. The effect each time was to reduce diamond output, whether officially mined or smuggled diamonds from Angola, at least temporarily cutting back supplies to an overstocked industry, particularly in the last two cases.

147. UNITA also attempted on each occasion to close down Angola's official mining industry, succeeding almost completely between 1992 and 1996. The timing of UNITA's military activities in relation to economic crises in the diamond trading sector suggests an altogether closer relationship between UNITA and elements of the diamond trade than has yet been explored.

148. During 1996, as the security risk lessened and UNITA left mining areas, formal mining projects were able to start up, but it was only in 1999 that official mining was equal in value to the unofficial sector, for the first time. The expansion of non-UNITA illicit mining has also continued. In May 1998, UNITA again began attacks on mining projects. By December 1999, every single mining project had lost a key expatriate worker, or workers. UNITA launched attacks on the Cuango Valley and other mines, although the important Catoca kimberlite is much less vulnerable and was not attacked. Several projects in the process of starting up declared force majeure and withdrew. The remaining mines dug in, behind massively increased security. Visiting major mining projects is a visit to a war zone, with buildings protected by sandbags and high security convoys travelling the roads between base camp and mine site.

B. Sources of information and evidence

149. The accounts of UNITA's diamond operations have been constructed from documentary evidence and open sources available to the Mechanism and from interviews with witnesses, from both UNITA and foreign mining companies and from diamond industry sources. It has built on the report of the Panel of Experts identification of UNITA's diamond dealings. Elements of our account have also been confirmed by several Government sources. Several sources asked for anonymity, but their names are available to the Mechanism. Information on the names of diamond buyers has come too late to be included, since there was insufficient time to validate information gathered during the last month.

C. Building the income to pay for the war

150. Although UNITA has been mining diamonds since the 1980s, it was only following occupation of the Cuango Valley in November 1992 that the movement began producing diamonds in very large quantities. These built the income for UNITA's rearmament process and also helped pay for the war between 1993 and 1994, following UNITA's rejection of the United Nations sponsored elections.

151. The account of UNITA's mining and diamond buying demonstrates the way in which UNITA structures its operations. It is also important from the point of view of tracing UNITA assets and finances that the extent of UNITA's assets derived from diamond mining be understood. The extent of the operations lends credibility to a

high total production figure, although, as will be seen, profits from the Cuango mines were shared among several players. It should be noted that the Cuango Valley mining operations ceased six to nine months before the adoption of Security Council resolution 1173 (1998), which imposed sanctions on UNITA's diamond trading.

152. UNITA's diamond production was raised before the major rearmament beginning in late 1996. In 1996, the mining operations achieved their highest level of output and UNITA began rearming at the end of that year. The closest industry estimate for UNITA's mining output for 1996 was $800 million out of the total output from Angola of $1.2 billion. In 1997 UNITA's output was worth $600 million, from a total known Angola production of $960 million. UNITA took a diamond stockpile from the Cuango, thought to be valued at $250 million, but, given the size of the workforce, this could well have been larger.

153. Since the De Beers central selling organization bought the majority of the diamonds produced and put out the figures for their "open market" purchases, the figures for diamond values have some credibility. Ashton Mining of Australia, a partner in the consortium now mining the Cuango, estimated that diamonds valued at $2 billion were removed from the Cuango during this period. Since UNITA had other mines in the Lundas, an overall figure of $3 billion between 1993 and 1998 inclusive is not far-fetched, though not all of this accrued to UNITA directly. The Mechanism has a more exhaustive analysis available but in the interests of brevity it has been omitted.

D. Mining in the Cuango Valley: the Cuango Mining Corporation and the De Decker brothers

154. UNITA had large scale industrial mines in the Cuango Valley for the five years that it controlled the valley, in what was effectively the world's largest diamond smuggling operation, given that UNITA's "mining rights" were based on force majeure and later negotiations to legitimize these rights failed. The mining and diamond sales systems are still representative of UNITA's systems, though the foreign mining component has changed.

155. By far the largest mining operation, before the imposition of sanctions, was the Cuango Mining Corporation created by David Zollmann, a junior partner in the Antwerp firm of Glasol. The other partners were George Forrest and UNITA itself. Forrest is a major player in the economy of the Democratic Republic of the Congo, with interests ranging from construction to mining. In addition to his own companies, he is currently chairman of Gecamines, the State-owned copper-cobalt mining consortium in the Democratic Republic of the Congo.

156. This consortium provided the technical expertise for running a large-scale mining operation, providing the technical skills that UNITA lacked and that Forrest's companies could provide. One such operation was the Raiar Project at the Tazua mines.

157. Much of the actual mining was done by human labour at three major sites along the Cuango river. UNITA brought in a workforce from Zaire under agreement between Jonas Savimbi and ex-President Mobuto Sese Seko of Zaire. By early 1996, UNITA had a workforce of approximately 100,000 miners working for UNITA. Each group of workers was controlled by one UNITA soldier, who would take

UNITA's 50 per cent share of the gravels and the better diamonds from the workers' share.

158. A more technical mining operation run by the Cuango Mining Corporation until 1997 was Project Muangai. Teams of divers brought in from South Africa and Namibia systematically stripped the Cuango river bed of diamonds from diving platforms on the river.

159. Glasol also bought diamonds from UNITA's miners in buying offices across the Cuango. UNITA maximized its income, as reported by the Panel of Experts, by taxing the movement of all money and diamonds by dealers, as well as all other goods brought into the Cuango. UNITA also ran the exchange rate system in the Cuango to its benefit. All the operations were run to maximize UNITA's returns, all investment came from UNITA's partners, a model which UNITA continued to apply while it maintained control of major mines until 1999.

160. UNITA sold its share of the diamond production through its diamond arm, the Ministry of National Resources (MIRNA), or traded the diamonds for arms and other supplies. MIRNA held tenders from 1996 in Luzamba and in Andulo, for which diamond buyers would fly in and bid for parcels of diamonds during the period of the Lusaka peace process. Such a tender system is still said to be operational today, on a smaller scale, outside Angola.

161. UNITA brought other players into Luzamba as well, offering smaller mines in return for support. The De Decker brothers had one of these mines and a similar dual role to that of the Cuango Mining Corporation, both brokering diamonds and mining, although the mining was on a much smaller scale. They worked with UNITA on the same production-sharing basis outlined above, with UNITA taking up to 60 per cent of the diamonds.

E. The real identity of "Watson"

162. The Mechanism has established that the broker known as "Watson", who was named in the report of the Panel of Experts as Ronnie De Decker, is in fact Fred Rindel, formerly an officer in the South African Defence Force. The Mechanism brought photographs of several men to Angola. General Bandua, who had previously identified "Watson" as a brother of the De Deckers', was asked if he could recognize any of the men as "Watson". He unhesitatingly recognized Rindel as "Watson" in front of witnesses. He failed to recognize Ronnie De Decker, who was named as "Watson" by the Panel of Experts. The Mechanism accepts the identification of Rindel as "Watson".

163. Rindel was contacted by the Mechanism and has admitted business dealings with UNITA. The account given by the Expert Panel of the De Decker's diamond dealings with UNITA stands. Fred Rindel and the De Decker brothers set up UNITA's diamond sales system in 1993, selling about one third of UNITA's diamonds according to Rindel. Rindel was given the diamonds by Jonas Savimbi; the brothers evaluated the worth of the diamonds and accompanied him and Rindel would return with the money and sales documents. As previously publicly admitted by the De Decker brothers, these diamonds were sold to the De Beers Diamdel buying offices in Antwerp and Tel Aviv.

164. "Watson" was identified in the report of the Panel of Experts as UNITA's main arms dealer during the post-election war. Rindel has denied that he dealt in arms or military aid for UNITA. The Mechanism believes that "Watson's" role needs further investigation.

165. Both the Cuango Mining Corporation and the De Decker brothers pulled out of Luzamba in October 1997 when the United Nations gained access, although UNITA mining operations around Luremo, to the north, continued until August 1998. Six months before the United Nations imposed sanctions on diamond trading through Security Council resolution 1173 (1998), UNITA completed the handover of its most high profile mining asset. It is these operations, however, which have provided UNITA with the financial base and assets to allow it to continue paying for arms and to maintain a network of representation outside Angola. Earlier implementation of these sanctions would have helped prevent or shorten the war; the long advance warning allowed UNITA to conceal its diamond operations and assets and gave the movement more time to rearm.

F. UNITA's present mining operations

166. The Cuango was the high point of UNITA's mining operations, in revenue terms. The movement started a similar, though smaller scale industrial mining project, the Kwanza Project, when it pulled out of the Cuango, though it found it difficult to get the investment for these mines. This region was recaptured in 1999 and the heavy mining equipment removed by the Angolan Armed Forces (FAA). The Kwanza region has both alluvial deposits and kimberlite, which was worked by UNITA, reportedly using forced labour flown from UNITA-controlled villages. These mines did not provide the same level of income for UNITA as the Cuango; the available data suggests these diamonds were valued at $105 a carat.

167. Other regions provided, and still provide, higher value diamonds, worth up to $300 a carat. The Mechanism has no doubt that UNITA still has access to diamond mines and that UNITA still maintains a diamond stockpile. Perhaps the most significant mines UNITA still maintain, at least in terms of diamond value, are in the vast Mavinga prospecting area, where the diamonds have been identified as worth $300 a carat.

168. Despite military advances by the Government of Angola, which have moved UNITA from some mines and made it difficult for the rebels to sustain larger operations, FAA sources identified the diamond-bearing sites that UNITA occupied as of the end of November 2000. The extent of the mining by UNITA is not known, but is thought to be restricted by the military situation and the lack of UNITA capacity to control a large workforce.

169. UNITA is said to be mining in the areas of Marimba Cucolo (Uige Province) (Lunda Norte); an area north of Alto Chicapa in Lunda Sul, an area south of Chassenge. It still controls a region of the Cuango above Luremo, which has lower quality diamonds. UNITA also buys diamonds from "*garimpeiros*", small miners working on the Kasai River, along the border with the Democratic Republic of the Congo. UNITA has had geological and prospecting maps of Angola for 25 years, enabling it to identify possible mining sites. An Interpol analysis of probable UNITA airstrips places each one close to a UNITA mining area, suggesting continuing close links between UNITA's logistics and diamond trading.

170. UNITA is said to be using a mobile "*garimpeiro*" workforce of Zairean diggers who remained in Angola after mining for UNITA. We do not have a current estimate of this workforce, but one such group was known to number 16,000. The Mechanism also notes that among the hostages taken from the Diamond Works mine at Yetwene two years ago were a geologist and a mining engineer. The fates of these men have never been clarified by UNITA, but the captives' families have raised the question of whether they could be being used in UNITA mining operations, since UNITA lacks sufficient technical expertise in this area.

G. The value of UNITA diamond production

171. The level of UNITA's diamond production for 1999 and 2000 cannot be estimated at present but was almost certainly larger than $150 million in 1999. This widely circulated estimate was derived from the idea that a larger supply would be visible on the markets, rather than on any estimates derived from diamond industry intelligence, as was the case before the sanctions. Since sanctions, information on the value of UNITA's diamond trading has gone underground. As part of the industry is well aware, UNITA diamonds are not, and some sources say never have been, traded primarily into open markets; they are sold direct to cutters and could be stockpiled by buyers. Such trades would never be visible on the world markets.

172. UNITA's capacity to produce major quantities of diamonds is, however, seriously hampered by the military situation and its production in 2000 is certainly likely to be lower than in 1999, since the movement has lost access to some mines. Lower production, though, could be offset against trading from the UNITA stockpile, and a professional assessment of the stockpile is that UNITA is likely to maintain a small but high value stockpile, concentrating on the better stones. It is noticeable that UNITA has targeted at least three of the highest value areas in Angola for mining, mines in Cuango, Malange and Mavinga. The organization does possess geological maps of Angola and prospecting data and carries on sporadic exploration for diamonds. The question is not whether UNITA has access to diamonds, but how easily it can move them to markets. A strategy of mining and stockpiling high-value stones would ensure that UNITA can always find buyers.

H. UNITA's diamond trading

173. UNITA has a long-standing diamond trading system, which was set up in the 1980s when UNITA cadres were trained in diamond valuing by the De Decker brothers. MIRNA and its diamond mining and trading arm, is and always has been, directly controlled from Jonas Savimbi's base. The report of the Panel of Experts exposed the role of "Karrica" and the Mechanism has discovered more about the working of UNITA's diamond trading systems.

174. Outside Angola, MIRNA is headed by Moses Dachala, "Karrica", and Joao Katende, "Jo Prata". Both "Karrica" and "Jo Prata" are trained diamond valuers and UNITA's negotiators in the sales of diamonds. They know all the buyers and without them UNITA's external diamond sales structure would be disrupted. "Karrica" is said to be the external head of UNITA's diamond arm; "Jo Prata" is the director of MIRNA. Inside Angola, there are two deputy directors of MIRNA who are said to report to "Jo Prata".

175. MIRNA's external "head office" moved to West Africa in 1997, but we are aware that the "Karrica" and "Jo Prata" travel extensively to sell diamonds. We note that in October 2000 the Government of Burkina Faso promulgated a decree banning the import of diamonds and precious metals issuing from conflict zones into Burkina Faso. We hope the Government of Burkina Faso will ensure that this team is not operating illicitly inside State territory, having noted that the Government has informed the Mechanism that "Karrica" and "Jo Prata", among others, are not legally present in Burkina Faso and have seemingly not transited the country.

176. Analysis of the available information suggests that UNITA sells diamonds through three main distinct systems, managed by the external MIRNA team; through selling direct to diamond cutters and their intermediaries with whom they have, in some cases, long-standing relationships, through tenders held in third countries and through South Africa's small open market, on which we obtained better validated information.

177. The system for selling direct to cutters was described as follows: UNITA sells diamonds to a smaller diamond trader, who buys African diamonds from a range of countries and who is in contact with UNITA's diamond traders. The trader is the agent of a larger diamond cutter and these diamonds are moved via tax havens from the first trader to the second. By the time they arrive at their destination their origin is thoroughly concealed. This system suggests that an agreement to supply diamonds is in operation. In view of the numerous reports of possible UNITA diamond sales, we also think that opportunistic sales take place in any country that hosts a small diamond market.

178. Diamonds go from UNITA mines through two other methods; through sales made by the small miners working for UNITA, insofar as they receive a cut. These trades are often visible as a small scale trade reported on Angola's borders. UNITA also still has the capacity to pay its suppliers in diamonds, thus pushing diamonds out into markets through the logistics networks that sustain the organization. This latter intensifies the link between diamond smuggling and arms smuggling networks in Africa.

179. Additional information on UNITA's diamond trading was received too late in the investigation to be validated. The process of gathering evidence on illicit diamond trading is longer and more complex than in other, more transparent industries, and is made even more complicated by the relative absence of paper trails and by industry statistics that are not standardized. There are also, as noted below, many possible ways to both smuggle and launder diamonds.

I. The connection in the Democratic Republic of the Congo

180. The Democratic Republic of the Congo was, when it was Zaire, central to UNITA's diamond operations and it seems that UNITA members are still able to traffic diamonds in Kinshasa. An informal UNITA network operates there, with links into South Africa.

181. The Mechanism has received information that major dealers, some of them well known clients of De Beers, are knowingly buying rough diamonds from UNITA, and, in some cases, have been operating buying offices along the border with the Democratic Republic of the Congo since the beginning of 2000, buying

Angolan diamonds without a certificate of origin. These reports require further validation, but are a matter of serious concern, in view of the credibility of the sources.

J. The South African connection

182. South Africa's diamond exchanges exist mainly to buy the diamonds produced from the country's artisanal mines and have become another route through which UNITA has been able to market diamonds in 2000, at least. A licence or permit is required to possess or trade in diamonds in South Africa. UNITA itself cannot sell diamonds directly without a licence and may be using an intermediary. We note that registers of sale of diamonds need the seller's name and address and details about the diamonds. We have been informed that the South African Government is aware of these trades and is investigating. The trading in South Africa has been reported intermittently for at least a year, in the Kimberley region, though substantive reports are much more recent.

183. Central to UNITA's diamond trade in South Africa is a relatively newly formed network of businessmen whose motivation is financial rather than political. These are players who will trade for profit with both sides, not part of the old politically motivated networks. We are informed that the purpose of the new networks is to create new covert channels for UNITA operations, since the older channels have been compromised by exposure.

184. One key player for UNITA in South Africa is said to be Mines Tadeu, presently living in Pretoria, who was Political Assistant to Isaias Samakuva when Samakuva was UNITA's Ambassador to the Joint Commission.

185. The Mechanism received specific reports that diamonds mined from Angola's Mavinga Concession, ceded to De Beers but occupied by UNITA, are being sold in Kimberley. These diamonds are said to be indistinguishable from Namibian diamonds and are of similar value, that is about $300 a carat. (While many parts of Cuando Cubango Province are in the hands of FAA, the army has yet to recapture the whole of the Mavinga mining region, as of the end of November.)

186. The Mechanism has been told that these diamonds were being exported to Zambia where they were given official documentation, before being imported legally into South Africa. However, there are no records of imports into South Africa from Zambia, or from any other countries except Rwanda and Uganda, during 1999 or 2000, that are valuable enough to be UNITA gems. One source suggested that both the volume and the value of the trade through Kimberley has doubled. UNITA diamonds are also being sold in the Port Nolloth region. South Africa is a more accessible market for UNITA simply in terms of geography.

187. Official imports of diamonds into South Africa are low; they are worth approximately $2.1 million a year, according to official statistics. The only conclusion we can draw, after analysing the statistics, is that UNITA or their brokers are smuggling the gems into South Africa, since there is no doubt that some UNITA-related sales are taking place.

188. Examination of the South African records of rough diamond imports did reveal an import declared as emanating from the "Presidence du Togo", dated 12 January 1999, of 587.89 carats of diamonds into South Africa, valued at US$ 48,500. The

Government of Togo informed the Mechanism that since Togo does not produce diamonds, they did not see how rough diamonds could be exported, and that the name of the "Presidence du Togo had been abused". The South African Government has been asked to provide all available documentation on this import, to establish the origin of this trade.

189. South Africa has yet to implement the certificate of origin scheme, on the basis that its own existing import controls and laws are sufficient. However, a new diamond act and new diamond control systems are expected in the near future. South Africa co-sponsored the resolution on the role of diamonds in fuelling conflicts which was adopted by the General Assembly on 1 December 2000 (resolution 55/56).

K. Zambia

190. The Zambian Geological Survey provided figures for 1997 and 1998 only and did not provide the detailed data on diamond exports requested by the Mechanism. Figures available from Zambia show official diamond exports of only 6,253.33 carats of diamonds in 1998, although this was 10 times the quantities declared as traded in 1997. The declared value is only $77 a carat. We expect to receive the requested data for 1999 and 2000 as soon as possible, since these figures do not answer our questions.

L. Rwanda and Uganda

191. The Mechanism received reports that attempts are being made to set up a diamond-cutting factory in Kigali, Rwanda. Since it is impossible to recognize the source of diamonds once they are cut, such a move, if successful, would seriously undermine controls on illicit or conflict diamonds. Those involved are said to be linked to Victor Bout, one of whose operational bases is now in Kigali.

192. Small quantities of diamonds whose provenance was declared as Rwandan and Ugandan were first reported in Antwerp in late 1998, when diamond dealers guarded by Ugandan troops were seen to be present in Kisangani. We also noted a small number of recorded imports of diamonds from Rwanda and Uganda into South Africa last year. Neither Rwanda nor Uganda have diamond mines, or any known diamond deposits, and the extremely high average value, $450 per carat, of many of these diamonds, raises questions about their origin though they may simply represent smaller quantities of better diamonds from Kisangani. Of great concern are reports of larger quantities of diamonds in Kigali in August 2000.

193. The Mechanism raised questions about the export of diamonds when it visited these two countries. The Government of Rwanda informed the Mechanism that there were no exports of diamonds from Rwanda. Other sources told the Mechanism that Rwanda was a route for dealers from Kisangani to fly their diamonds to Europe. As of August 2000, Rwanda and Uganda jointly controlled the seven "licensed" diamonds buyers based in Kisangani, the presumed origin of these stones, though the average carat value is very high for diamonds from the Democratic Republic of the Congo.

M. Tracking the trade: the evidence from diamond centres

194. The accounts of UNITA diamond trading show the problems of tracking illicit or conflict trade across continents and into markets and the problems of statistics that are either not comparable or are completely inadequate for monitoring purposes. The Expert Panel's report examined the role of Antwerp as an open market for diamonds in detail and the Mechanism has followed up on this work. The Mechanism visited two major but very different diamond centres, Belgium and Switzerland, to examine controls on the movement of diamonds.

195. In our two visits to Belgium, we held talks with the Ministry of Economic Affairs, the Diamond Office, the Diamond High Council and the Ministry of Foreign Affairs. It was clear that all the bodies concerned are taking considerable care to implement the United Nations sanctions. The Government of Belgium has informed the Mechanism that they are continuing to examine the possibility of introducing a law enabling the prosecution of Belgian nationals for crimes committed outside the Belgian territory. An inter-cabinet task force works in the diamond sector to increase transparency within the sector and to exchange information on problematic areas. Considerable analysis has been carried out on imports from countries whose production may be contaminated with UNITA diamonds.

196. The diamond trading centre of Antwerp imported rough diamonds worth $10 billion in 1999. All diamonds enter the Diamond Office and the parcels are checked for conformity to import procedures. At the Diamond Office, a "watchlist" for diamonds is now in place, which lists 15 "sensitive" African countries whose diamonds might include those produced by UNITA or the Revolutionary United Front of Sierra Leone (RUF). The Diamond Office keeps detailed information on imports of these "sensitive" diamonds into Antwerp. These and other suspect parcels, those whose country of origin is in doubt, or which do not match the declarations made on the parcel, are examined by Customs on receipt. Parcels of diamonds of mixed or unknown country of origin cannot be sourced, of course; these accounted for less than 30 per cent of the trade in a five-month study carried out by the Diamond Office. Such parcels are also coming under closer scrutiny. As far as possible, dealers have to declare the country of origin of their stones.

197. Loopholes still exist, however, some beyond the control of any single Government. Dealers who are prepared to buy rough diamonds from UNITA have several options: they can smuggle goods into cutting centres; or they can seek to import through less scrutinized routes, either cutting centres or countries with lower levels of control, or through tax havens. For example, once diamonds are imported into the European Union, they do not require an import license into Belgium, only a statistical report of import/export. There are substantial imports into Belgium from European Union countries, including the United Kingdom, the largest single importer, which imported diamonds valued at $2.55 billion by mid-2000. Other European Union countries import rough diamonds into Belgium, though on a much smaller scale. The Mechanism has learned that diamonds from Angola have been smuggled into Portugal, for example, although whether these originate with UNITA is not known. Open markets make the task of laundering diamonds easier, as does the trade through tax havens.

198. Within Europe, Switzerland's tax-free zones, or *Freilagers*, offer a major route into cutting centres. The majority of diamonds moved through Switzerland originate

with De Beers, which imported diamonds worth $1.19 billion in 2000 to the United Kingdom, and also re-exported them through Switzerland, for tax purposes, leading to the anomaly that in the United Kingdom almost all diamonds imported are said to originate in Switzerland. De Beers has been asked by the British Government to declare the real origin of its diamonds, but has yet to do this. The United Kingdom is one of world's largest importers of rough diamonds, because of the presence of De Beers Diamond Trading Company.

199. The movement of De Beers diamonds between tax-free zones and cutting centres and through Switzerland is of concern to the Swiss sanctions team, who expressed the desire for guarantees that no conflict diamonds are being moved through Switzerland. Although De Beers now gives guarantees that its diamonds are not sourced from conflict zones, the Mechanism found that, while De Beers has closed its African buying offices, the Diamdel offices in Antwerp and Tel Aviv remain open, although they are said to be buying rough diamonds believed to originate in the Russian Federation. No external validation of the De Beers claim is therefore possible since diamonds can move through too many routes.

200. Within the Swiss tax-free zones, diamonds may be re-sorted, mixed into new parcels and then re-exported, although diamonds may not be cut inside the zones. There are currently 20 companies based in the tax free zone at Geneva Airport alone, and a similar number in Zurich, and at present there is no obligation to record the country of origin. The trade into Switzerland is a transit route between cutting centres and to other tax havens.

201. Diamonds are, however, now examined by customs officers on entry and exit from the zones, and parcels originating from Angola and Sierra Leone without a certificate of origin may be seized. The Government of Switzerland, which has Permanent Observer status at the United Nations, has enacted and implemented the United Nations resolutions concerning UNITA and has set up a sanctions team to monitor compliance, which has led to the strengthening of controls on the movement of diamonds through the *Freilagers*. As in Belgium, the Swiss authorities have instituted a watchlist of "sensitive" countries, whose imports are examined. In both countries, parcels of diamonds may be held back for further examination to better establish the real origins of suspect parcels.

202. It is, however, difficult, if not impossible, for anyone who is not extremely familiar with a particular country's diamonds to recognize the origin of diamonds by physical inspection.

N. The evidence provided by statistics

203. Statistics from Switzerland and from several cutting centres, Belgium, South Africa and Israel, demonstrate that it is not possible to track a trade in illicit diamonds by comparing statistical data and that different customs codes are used to describe the diamonds. Unified statistics would enable those involved in tracking the trade in conflict diamonds to compare like with like, in view of the methods by which UNITA now sells its diamonds. This issue is being addressed through the process of establishing a worldwide certificate of origin scheme, but those diamonds centres that have not already done so could take action to ensure that statistics are made comparable and are published.

204. The Belgian Diamond Office keeps the most detailed statistical records, but the Belgian authorities are under no illusion that the origins of all diamonds entering Antwerp are correctly declared. There are reasons for this, which are not necessarily directly connected with the trade in conflict diamonds. Given the considerable movement of diamonds through tax havens, much of this traffic may be for tax purposes. Diamonds valued at $5.6 million were imported from the Cayman Islands into Antwerp in 1999. The origin of these diamonds may not have been recorded in the Cayman Islands.

205. The considerable degree of artisanal mining in Africa is another source of diamonds whose origins are wrongly declared. Many of these diamonds are smuggled across borders, sometimes because there is no official buying structure in the country of origin. Changes in import statistics from African countries are difficult to interpret. Official statistics of production may be deeply flawed, and official records of exports can be difficult to reconcile with declarations of imports from the various countries to cutting centres. In the case of gems smuggled from Angola, whether by UNITA or by others, the only way to begin to establish the trade is by noting changes in the average carat value of the diamonds. Such a change has been noted in Gambia, where the average carat value has risen to $287 a carat.

206. In examining reports of diamond trading by UNITA, we have come to the conclusion that this trade is being hidden very carefully. UNITA's direct links with cutters and its smuggling of diamonds into less regulated markets means that little of this trade will show up in official statistics. We have therefore decided, in the absence of sufficient data, that a full analysis of diamond trading statistics in the present report would reveal little about UNITA's current trading in diamonds.

O. Origin versus provenance: the need to implement a certificate of origin system

207. At present the information largely available to diamond offices concerns the provenance of diamonds, that is information about the last country which handled the diamond parcel, rather than the country in which the diamonds were mined. The certificate of origin scheme proposed should ensure that the real origin and the provenance of rough diamonds are revealed and will resolve some of the problems outlined above, in particular the movement of diamonds through tax havens. Such a move will also lead to much improved statistics on world diamond production, presently obscured by the movement of diamonds whose origin is wrongly declared or which are moved through multiple tax havens.

208. The Mechanism further considered the question of the movement of illicit diamonds, under the cover of which the trade in conflict diamonds traded by rebel movements can presently be hidden. As outlined in the analysis of UNITA's diamond sales, the Mechanism cannot set a value or a proportion on this trade as it relates to UNITA. One estimate of illicit diamonds sets the proportion as high as 20 per cent of the value of the worldwide annual production of rough diamonds. UNITA has been one of the largest producers of illicit diamonds, producing greater quantities of diamonds than many countries. Its declining share should have caused a decrease in the problem of illicit stones. The diamond certification scheme is only able to address the problem of conflict diamonds by addressing the question of diamond smuggling in general.

209. It is clear that neither a certificate of origin system nor simply "naming and shaming" will prevent dealers from buying diamonds from UNITA. There are longstanding business relationships between UNITA and dealers not yet publicly named and it is clear that these will continue while UNITA has diamonds that help these players position themselves in the higher fraction of the market.

P. The Angolan single channel buying system

210. The Angolan single channel buying system (ASCorp) was set up in January 2000 to address the problems of lack of control over the flow of Angola's diamonds, following criticism in the report of the Panel of Experts. The Mechanism visited Angola twice to examine the nature of the system being put in place, and received detailed briefings from the authorities on implementation. However, follow-up will be needed to validate the practice on the ground, since the Mechanism was unable to visit the buying offices owing to lack of time.

211. ASCorp has now moved into phase two of its operation, the adoption of controls on small miners and dealers. The "*Guichet Unico*" system now validates the licences of all buyers, which are valid for only three months. The system is being computerized, allowing for detailed records of all trading and permitting the authorities to check the origin of any parcel of diamonds traded as well as the details of the seller. We have been informed of attempts to screen out UNITA's rough diamonds.

212. Parts of mining leases are being made available to licensed miners in an attempt to stop illicit mining. Miners are similarly receiving licences and being given aid in mining their concessions. This will address two of the most difficult problems in artisanal mines, cutting out the layers of middlemen who help obscure the origins of stones and stabilizing the diamond regions.

213. All official buying offices in Luanda have been closed and ASCorp is the only commercial entity now allowed to import substantial quantities of dollars to prevent Luanda being used as a diamond smuggling centre and to ensure that illegal buyers do not have access to cash to buy diamonds.

Q. Financial networks of UNITA

214. Initial studies on UNITA's financial networks, in pursuance of Security Council resolution 1173 (1998) have confirmed information gathered by the Mechanism and have exposed the outline of UNITA's new financial structures, which were set up after financial sanctions were imposed on the rebels. The question of whether or not UNITA maintains substantial assets apart from a diamond stockpile will only be answered by a full professional investigation but, as a matter of logic, it is necessary for UNITA to maintain, or be able to move on a regular basis, some assets outside Angola to fund UNITA families, representatives and activists abroad and, more importantly, to pay for supply operations, including the chartering of aircraft. It is also clear that UNITA financial assets move through European States as well as through African countries.

215. While some suppliers have undoubtedly accepted payment in diamonds, others will want to be paid through more normal routes, requiring UNITA and its brokers

to have access to bank accounts. Payment in diamonds creates a natural cut-off between putative UNITA suppliers and payments made by UNITA, and this part of the asset trail will have to be traced through other routes, in particular by identifying brokers and transactions.

216. Inquiries by Member States into UNITA assets have been severely hampered by the lack of available, validated information both about UNITA's assets and membership. Investigations have concentrated on the personal accounts of those UNITA members on the previous United Nations list of senior UNITA members and adult family members. The objective is to ensure that funds do not reach UNITA. Where bank accounts have been traced, they have been frozen by Member States. The frozen accounts have not contained substantial sums of money, as was the case in Portugal.

217. UNITA's traditional networks have had to curtail their activities as a result of sanctions and subsequent investigations. The Mechanism has been informed that older, high profile UNITA members in Portugal and France, such as Isaias Samakuva, have been bypassed in favour of younger, less well-known UNITA members and that new commercial networks have been set up. Where possible, UNITA has separated its commercial and financial networks from its higher profile political activities, to ensure that investigations by Governments cannot compromise the working of UNITA-related NGOs.

218. It is a fact that tracing covert financial operations is difficult. The electronic movement of money and the liberalization of exchange controls make even non-suspect transactions hard to trace. However, there is a pre-existing financial instrument that may aid in tracing UNITA-related assets, the Basel Treaty on money-laundering.

R. Measures aimed at improving the effectiveness and efficiency of the implementation of sanctions

219. The Mechanism has received information from some countries regarding measures and initiatives taken with a view to improving the effectiveness and the efficiency of the implementation of the sanctions against UNITA.

220. The Mechanism is aware that certain countries have established structures and mechanisms for the formulation of a proper policy to enforce and/or monitor implementation. Other categories of operational measures ranging from the establishment of task forces to other similar systems have been put in place.

221. As an example, the Bulgarian authorities have conducted a wide-ranging study aimed at defining ways to improve the effectiveness and efficiency of the implementation of sanctions. Subsequent to the study, a series of legislative measures to tighten the control of exports were taken.

222. The Mechanism believes that the good practices developed to date should be enacted by those countries that have yet to put measures in place to improve the effectiveness and efficiency of their implementation of United Nations sanctions against UNITA.

223. The Mechanism takes this opportunity to thank the Governments of Belgium, Bulgaria and Romania for their invaluable cooperation. The Mechanism would also

like to express its appreciation for the special assistance received from INTERPOL in the execution of its mandate.

XI. Recommendations

224. The Mechanism recommends that, in order for the measures against UNITA to be taken seriously, the Security Council should consider applying sanctions against any Government found to be intentionally violating them.

225. The Mechanism endorses the recommendations of the Panel of Experts and makes the following recommendations.

A. On arms and military equipment

226. Arms exporting countries should strengthen their systems pertaining to arms exports, in particular verifying the authenticity and country of issuance of the relevant documents.

227. The importation of arms should be subject to adequate legislation and should be managed through a mechanism that can define clearly the responsibilities of all agencies and officials involved. Such system should include provisions designating in person the officials authorized to sign end-user certificates.

228. The format of end-user certificates necessary to legally acquire arms should be provided with a standard system of support and a sufficient level of security to deter and/or prevent the forgery of such documents.

229. Governments should consider putting in place systems to allow for the speedy exchange of information and verification of the validity of end-user certificates through the designation of a contact authority in the arms exporting and importing side or by any other way deemed appropriate.

230. The international community should give full support to the implementation of the ECOWAS moratorium and the SADC action plan for the control of light weapons.

231. A register of intermediary firms/brokers dealing with import/export of arms should be put in place.

B. On travel and representation

232. The United Nations list of senior UNITA officials and their adult family members which is a major tool for the implementation of the sanctions, should be continually updated by the Sanctions Committee. To that effect, the Secretariat has, in accordance with the guidelines issued by the Committee, an essential role to play, providing the Committee with the information necessary for the updating process.

233. Governments should be encouraged to disseminate the list to the relevant departments and to ascertain that a system is put in place to ensure full compliance with Security Council sanctions.

234. ECOWAS and the States parties to the Schengen Agreement should look into the problem of UNITA abusing its structures with a view to closing existing loopholes.

C. On diamonds and finance

235. Member States should consider implementing the certificate of origin scheme with the minimum of delay. Those countries that lack the technical resources to implement the system should be aided in setting it in place. This will both protect the legitimate industry and begin to clarify the problem of illicit diamonds.

236. The certificate of origin system should be supported by the licensing of diamond buyers, so that diamond purchases can be more closely tracked from mining region to market. The ASCorp system of controls could be considered a model of how this can be done, and should be monitored for its effectiveness. We further suggest that the World Diamond Council could be involved in setting up such a system, so that diamond buyers and dealers credentials are standardized worldwide.

237. The relevant Ministries of diamond-producing countries should profile the production from their mines, recording the characteristics of diamonds from each mine in detail. Such a record would enable parcels of diamonds whose origin is disputed to be checked by comparison with available data with a greater degree of certainty than is currently the case. This is particularly urgent in the case of alluvial diamonds.

238. Diamond centres should standardize their statistics and customs codes as a matter of urgency, to enable monitoring of the movement of illicit or conflict diamonds by the authorities. Diamond offices may wish to consider convening a conference to examine this question at the earliest opportunity and to examine the Belgian system.

D. On transport

239. Member States should consider putting in place tighter controls on operators using "flags of convenience". Thus, if an aircraft operator wishes to use a certain country as a base, that country would then become the designated country of registration.

240. Sanctions-busters should have their aircraft de-registered. An international list of companies, individuals and aircraft breaking sanctions should be maintained by the United Nations on a permanent basis and provided to those countries that export arms.

241. Member States should consider introducing legislation regulating the leasing of aircraft for the transportation of weapons. These measures and regulations should include provisions obliging the contracting partners to prohibit the delivery of equipment in breach of Security Council embargoes.

242. Governments should consider de-licensing pilots known to be violating the United Nations Security Council sanctions.

243. The international community should consider assisting Member States, where necessary, in acquiring equipment for control of national and regional air spaces.

E. Maintaining the effectiveness of sanctions

244. Aware that any vacuum or discontinuity in the exercise of vigilance by the international community will affect the aims of the Security Council sanctions against UNITA, the Mechanism recommends that the Chairman of the Sanctions Committee be asked to report to the Security Council on actions taken to follow up on the conclusions and the recommendations contained in the present report.

245. The Mechanism further recommends that the Security Council should consider ensuring that a system allowing for the continuity of the monitoring of the implementation of sanctions is put in place.

XII. Conclusions

246. As the Monitoring Mechanism stated in its interim report, the second stage of its work has concentrated on gathering additional data and verifying the information that it has been able to collect during visits to a number of countries, and through contacts with many Governments, individuals and selected organizations. The members of the Mechanism are very thankful for the cooperation that we have received in conducting our work.

247. In spite of the time constraints, we have focused our efforts on trying to produce an accurate, objective and complete as possible report which would enable the Sanctions Committee and the Security Council to have a clearer assessment of the current situation of the implementation of sanctions against Angola.

248. For this purpose, we developed a methodology for the conduct of systematic investigations, the evaluation of different sources of information, creating databases and reference information about patterns and a chronology of actions taken. We were also able to establish a constructive relationship with the Member States directly concerned with the Angolan problem.

249. In this regard, our recommendations are aimed at improving the implementation of the measures imposed against UNITA.

250. There is no doubt that the sanctions, together with the military operations carried out by the Angolan armed forces and the vigilance of the international community, are hurting UNITA's ability to wage war. Nevertheless, it is difficult to assess with a degree of certainty the scope of this judgement.

251. However, since peace has not yet been achieved, the international community cannot leave the Angolan situation unattended. Only tight control on the strict compliance with the sanctions will assist in forcing UNITA, at some time, to fully comply with the peace process it has betrayed.

252. Peace in Angola will also have an important impact in the Democratic Republic of the Congo and in Sierra Leone, where so many efforts are being deployed to stop the conflicts that have ravaged those countries.

253. We have to take into account that there are many common elements in terms of arms, diamond dealers and air transport carriers involved in these conflicts. It would not be a surprise to see emerging the same names, companies and activities related to the organized crime profiting from death, destruction and greed. Those elements have no nationality or loyalty of any kind and can be found today in Angola and tomorrow somewhere else. This is becoming an increasingly common phenomenon that the international community must urgently address.

254. There is much still to be done with regard to pending inquiries and verification of the outstanding information that we have requested. This new information can complement or fill some gaps, but in any case will not significantly alter the picture that we are presenting about the situation in Angola.

Notes

[1] Any reference to UNITA in the present report refers to UNITA headed by Jonas Savimbi.

ANNEXE -A.

SITUATION DES MATERIELS MILITAIRES CONFISQUES

NOMBRE TOTAL DES ENGINS : Dix (10)

I.- LES LANCE-MISSILES

MODELE DU CHASSIS : 2 IT 25 m2 (Chenillé)
MUNITION : 3M9
NOMBRE DE RAMPES DE LANCEMENT : TROIS (03)
NOMBRE DE VEHICULES : QUATRE (04)

PREMIER ENGIN

Série NR : 510054011
Châssis NR : C063T6101
NR D'Identification : B07 I0T8916

DEUXIEME ENGIN

Série NR : 514085004
Châssis NR : 414IIT8126
NR D'Identification : Y01 I0T1201

TROISIEME ENGIN

Série NR : 510054013
Châssis NR : C04IIT2277
NR D'Identification : C02 I0T1408

QUATRIEME ENGIN

Série NR : 510057008
Châssis NR : C10IIT3488
NR D'Identification : C08 I0T3215

II.- ENGIN AUTOMOTEUR – ARTILLERIE

MODELE : SAU. 122M.74 (Chenillé)
CALIBRE DU CANON : 122 mm
Véhicule amphibie, embarque quatre (04) hommes) - quarante (40) obus
NOMBRE DE VEHICULES : Trois (03)

PREMIER ENGIN

Châssis NR : 9612006
NR D'Identification : 2C 19702003

DEUXIEME ENGIN

Châssis NR : 9612001
NR D'Identification : 2C 19701001

TROISIEME ENGIN

Châssis NR : 9612002
NR D'Identification : 2C 19701002

III.- VEHICULE DE SURVEILLANCE-RADAR

MODELE : 1 C/91 (à roues)
NOMBRE : Un (01)

Série NR : 1312
Châssis NR : C02ПТ1435
NR D'Identification : B10 I0T9216

IV.- VEHICULE CHARGEUR-POURVOYEUR DE MISSILES

MODELE : 2 T 7 (à roues)
NOMBRE : Un (01)

V.- VEHICULE VERIFICATEUR-CONTROLEUR DE MISSILE

MODELE 2 B 8 (à roues)
NOMBRE : Un (01)

Les matériels sont arrivés à Niamtougou au Togo par les vols suivants :

15 juillet 1997 à 14 H 50
Vol IL76 (avion Iliouchine)
Compagnie : ACS

23 Août 1997 à 18 H 17
Vol IL76 (Avion Iliouchine)
Compagnie : ACS

24 Août 1997 à 18 H 17
Vol IL76 (avion Iliouchine)
Compagnie : ACS

N. B. :- Origine des matériels : il n'est pas possible au Togo de se prononcer sur l'origine nationale des matériels confisqués car les plaques signalétiques sont toutes rédigées en écriture cyrillique.

Annex B

Senior UNITA Officials and Immediate Adult Family Members *

	LastName	FirstName	Alias	Country Residing in or Operating from	Title / Function	Status	Pass # or Travel Doc #	Pass. Issue	DOB	POB
1	ABREU	Geraldo	"Kamorteiro"		Chief of Staff					
2	ADALBERTO	Da Costa, Jr		Italy	Rep		Portuguese & Ivory Coast passports			
3	APOLO	Pedro			Gen					
4	ARLINDO		"Mindo"		Col					
5	AURELIO	Anastacio		US						
6	BAPTISTA	Joao	"Zaboba"	Togo	Brig					
7	BIKINGUI	Alelula			Col					
8	CAMBICA	Estevao		Namibia	SG					
9	CAMOSSO	Antonio		US						

* for ease of reference, this document supercedes all previously issued UN lists of senior UNITA officials

Senior UNITA Officials and Immediate Adult Family Members *

	LastName	FirstName	Alias	Country Residing in or Operating from	Title / Function	Status	Pass # or Travel Doc #	Pass. Issue	DOB	POB
10	CATCHIUNCO	Jose Pedro		Portugal	Security Coord, appears to be a principal decision maker					
11	CHALI	Eduardo		Zambia	Sr. Resident Official					
12	CHILALA	Odeth Ludivna Mbaca			Pres Women's Wing LIMA				05/08/1959	Bela Vista
13	CHIMUCO	Vasco Mbundi Inacio			Gen					
14	CHINJAMBA	Andre			Col					
15	CHIQUELE	Chaves			Brig					
16	CHISSENDE	Ezequias Almeida	"Buffalo Bill"		Brig					
17	CHISSUAKA	Augusto	"Kibidy"		Gen				1957	Bie
18	CHISUKU	Henriques		Namibia	Coordinator					

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Senior UNITA Officials and Immediate Adult Family Members *

	LastName	FirstName	Alias	Country Residing in or Operating from	Title / Function	Status	Pass # or Travel Doc #	Pass. Issue	DOB	POB
19	CHITECULO	Adelio		Ivory Coast	Asst. Rep		Burkina Faso, Ivory Coast, Togo		1966	
20	CHITECULO	Amadeu			Gen					
21	CHIULO	Antonino	Chilyulo, Cheya		Gen					
22	CHIVELA	Lino		Namibia	Finance					
23	CHUVILA	Joao		Spain						
24	CHIWALE	Jose Samuel			Gen					
25	CHULA	Jessy		US	U.S. Pa					
26	CONTREIRAS	Manuel		Belgium						
27	DACHALA	Marcial Adriano			Sec. Info				11/08/1956	Bela Vista

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Senior UNITA Officials and Immediate Adult Family Members *

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28	DACHALA	Marcelo Moise	Karnica	Burkina Faso	Procure & Diamond Trade				1958	Bela Vista
29	DE BALA	Assobio			Gen					
30	DEMBO	Amandio Joao		Togo	son of Vice President Dembo				12/10/1980	
31	DEMBO	Antonio			Vice President				25/08/1944	Nambuangongo
32	DEMBO	Antonio Sebastaio		Togo	son of Vice President Dembo		076/12/98		25/11/1980	
33	DEOLINDO	Jonas			Col					
34	DIAS	Leon		Ireland	Rep		Irish			
35	DINIS	Raul		Portugal	Commerce					
36	ECOLELO	Eliote			Brig					

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Senior UNITA Officials and Immediate Adult Family Members *

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37	EPALANGA	Arcadio			Brig					
38	EPALANGA	Leonardo	"NATO"		Col					
39	EPALANGA	Samuel Martinho			Gen					
40	FERNANDES	Alzira Maria		Burkina Faso, Togo	Wife		013/05/2000		25/08/1965	
41	FERNANDES	Antonio		Germany						
42	FERRAZ	Orlando		Germany						
43	FIGUEIREDO	Paulo		US,Wash						
44	FONTOURA	Carlos		Portugal						
45	FRANCA	Joaquim Rufino			Brig					

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Senior UNITA Officials and Immediate Adult Family Members *

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46	FRANCISCO	Carlos		Germany	Asst Rep					
47	FURTADO	Jamie		Morocco & Portugal			Ivory Coast, Portugal			
48	GERSON	Jose Antonio	"Catrukas"		Col					
49	GRITO	Morais			Brig					
50	GUERRA	Cristo Antonio		Germany						
51	JEREMIAS	Dekas Denis		Togo			037/05/2000		03/05/1972	
52	JUNJUVIVI	Arlindo	"Zaboza"		Brig					
53	JUSTINO	Jolfre		Portugal	Pol. Activities		Portuguese			
54	KANGANJE	Azevedo de Oliveira		Belgium	Rep					

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Senior UNITA Officials and Immediate Adult Family Members *

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55	KACHIVANGO	Diniz	"Dekas"	Togo	Special Services for Savimbi					
56	KAKUMBA	Jorge Marques		Ivory Coast			Ivory Coast			
57	KALEY	Alexandre		Namibia	Vice-Coord					
58	KALIPE	Rafael da Silva			Brig					
59	KALUASSI	Oseias			Col					
60	KALUFELE	Jose Dias		Togo			022/05/2000		28/12/1980	
61	KALUNDA	Afonso Figueiredo Pinto			Col					
62	KALUNGULUNGO	Terencio			Brig					
63	KAMALATA	Abilio	"Numa"		Gen				31/08/1955	Cubal

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Senior UNITA Officials and Immediate Adult Family Members *

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64	KAMALATA	Francisco		Gabon	Informal Rep					
65	KAMALATA	Sebastiao Dembo	"Man Sebas"	Togo			021/05/2000			
66	KAMANHA	Andre			Brig					
67	KANGANJI	Azevedo		Belgium	Rep					
68	KANHANGA	Alberto			Brig					
69	KATUMBELE	Feliz		Togo						
70	KANYUALUKU	Julio		Burkina Faso	Representative		Burkina Faso, Togo			
71	KAPINGALA	J. Maria			Col					
72	KAPULE	Domino		Togo						

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Senior UNITA Officials and Immediate Adult Family Members *

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73	KASSESSE	Pedro		Togo						
74	KASSESSE	Estevao	"Rhino"		Gen					
75	KATATA	D "Veneno"			Brig					
76	KATCHIUNGO	Jose Pedro		Portugal	Central Intell & Security					
77	KATENDE	Joao	"Jo Prata"	Burkina Faso	Special Amb			Burkina Faso		
78	KOKELO	David		Ivory Coast	Rep					
79	KULUNGA	Francesco			Gen					
80	LIAPUKA	Tony			Brig					
81	LONDOIMBALI	Nganga			Col					

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Senior UNITA Officials and Immediate Adult Family Members *

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82	LUDEVINA	Odeth			Sec. Youth Org					
83	LUMAY	Mbalau			Gen					
84	LUSADIU	Antonio								
85	MACHADO	Sabino			Col					
86	MAKEISSE	Eduardo		Belgium						
87	MALAQUIAS	Isaura		US, Pa						
88	MANUEL	Mbala		Germany						
89	MAOLA	Francisco		Spain						
90	MARTINHO	Vindes Martinho		Togo	son of J B Vindes		023/05/2000		09/01/1979	

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Senior UNITA Officials and Immediate Adult Family Members *

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91	MATOS	Abelardo Benjamin			Brig					
92	MBULE	Jose Major			Brig					
93	MENDONCA	Antonio		Namibia						
94	MIGUEL	Alberto Mario Vasco	Valuva		Gen					
95	MORGADO	Carlos		Portugal	Rep					
96	MUEKALIA	Domingos Jardo		US, Wash	Rep		PS AE/6774 94	Ivory Coast	20/09/1959	Mungo
97	MULATO	Helena Mbundu		Togo	daughter of J. Ernesto Mulato		032/05/2000		19/11/1980	
98	MULATO	Joaquim Ernesto		Togo	Rep			Burkina Faso, Ivory Coast, Togo		
99	MUNDOMBE	Helder	"Boris"	Burkina Faso	Special Amb, Col			several passports	1959	

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Senior UNITA Officials and Immediate Adult Family Members *

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100	MUNDOMBE	Joao		Togo						
101	MUNDOMBE	Marlene Dachala		Togo					01.05.1962	
102	NHANY	Franco Marcolino		Portugal	Asst Rep					
103	OLIVEIRA	Jose		Portugal						
104	PASSILE	Dina		Namibia	Responsible for LIMA					
105	PAULO	Aniceto Silas (Gato)			Brig					
106	PAULO	Armindo Lucas (Gato)	Lucamba		Sec Gen				1957	Huambo
107	PAULO	Luisa Lussinga (Gato)		Portugal	daughter Alberto Augusto Paulo		019/05/2000		07/10/1979	
108	PAULO	Pedro (Gato)		Togo						

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Senior UNITA Officials and Immediate Adult Family Members *

	LastName	FirstName	Alias	Country Residing in or Operating from	Title / Function	Status	Pass # or Travel Doc #	Pass. Issue	DOB	POB
109	PEDRO	Elias Dravo da Rosa Mahungo	"Kalias"		Gen					
110	PELEMBE	Florindo			Brig					
111	PENA	Esteves	"Camy"		Brig					
112	PENA	Edna Kassandali		Ivory Coast			030/05/2000		21/03/1982	
113	PENA	Luzelle Salumbo		Togo					26/08/1958	
114	PERESTRELO	Bartolomeu			Brig					
115	PINDI	Andre			Prov Sec					
116	ROMA	Daniel		US	Philadelphia					
117	SACHIAMBO	Eldio Paulo			Brig					

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Senior UNITA Officials and Immediate Adult Family Members *

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118	SACHIAMBO	Tony			Col					
119	SAKAITA	Aleluia Chofeka Cilala	"Feka"	France	Savimbi daughter					
120	SAKAITA	Almerindo		France	Savimbi son					
121	SAKAITA	Angela Nassova		Ivory Coast	Savimbi daughter					
122	SAKAITA	Celita Navimbi		Togo	Savimbi daughter		033/05/2000		19/02/1979	
123	SAKAITA	Dorio de Rolao Preto Sakalu		France	Savimbi son					
124	SAKAITA	Durao de Monte-Negro Ceya		France	Savimbi son					
125	SAKAITA	Eloy Sassandaly		Ivory Coast	Savimbi son		034/05/2000		10/04/1982	
126	SAKAITA	Helena Mbundu		France	Savimbi daughter					

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Senior UNITA Officials and Immediate Adult Family Members *

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127	SAKAITA	Jose Chavala	"Joss"	Ivory Coast	Savimbi son					
128	SAKAITA	Kassy		Burkina Faso	Savimbi daughter					
129	SAKAITA	Luisa Chilombo		Ivory Coast	Savimbi daughter					
130	SAKAITA	Pedro, Sachiambo		Benin	Savimbi son		035/05/2000 232/0583		18/09/1979	
131	SAKAITA	Rafael Massanga		Ivory Coast	Savimbi daughter					
132	SAKAITA	Rosa Chikumbo		Burkina Faso	Savimbi daughter				10/12/1977	
133	SAKAITA	Tao Kanganjo		Benin	Savimbi son					
134	SAKAITA	Victoria Kassandaly		Ivory Coast						
135	SAKALA	Alcides			Sec. Foreign Relations					

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Senior UNITA Officials and Immediate Adult Family Members *

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136	SALLY	Mohamed		Belgium	Secretary					
137	SAMAKUVA	Isaias		France						
138	SAMAKUVA	Virgilio		Spain						
139	SAMONDO	Marcos		US, NY	(212-758-1976)					
140	SANGUENDE	Davi Jorge Marcelino		France	Representative			Ivory Coast		
141	SANTA	Jaime Azevedo Vila		US NY	Asst Rep		A72191727	US Refugee Travel Doc	06/01/1962	
142	SAPALALO	Altino	"Bock"		Gen					
143	SAPALALO	Catarina	"Tiny"	Ivory Coast	daughter of Gen. Bock					
144	SAPALALO	V Moloso Salumbo		Togo	SS/EE de JMS				21/10/1961	

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Senior UNITA Officials and Immediate Adult Family Members *

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145	SAPALO	Antonio		US	Philadelphia					
146	SASSAMBA	Adolfo		Namibia						
147	SATUMBO	Liliana Esperanca DACHALA		Togo	mother of Luzelle Pena		008.05.2000		25/09/1923	
148	SAVIMBI	Jonas			Pres					
149	SEBASTIAO	Antonio		US, Pa						
150	SEGUNDA	Domingos		Namibia						
151	SERQUEIRA	Jose		Portugal	Brig					
152	SILVA	Rui		Portugal						
153	SOC	Fernando			Brig					

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154	TADEU	Mines		South Africa						
155	TCHINDANDI	Joao Baptista	Black Power		Gen					
156	TECA	Rogerio		Belgium	Finance & Diamonds					
157	TEIXEIRA	Jose		US, Pa						
158	TIMOTEO	Victor		Namibia	External Rel					
159	URBANO	Antonio Manuel	Chassamo	Portugal						
160	VAIKENI	Joao		Switzerland	Rep		Swiss			
161	VENANCIO	Rui		Portugal						
162	VENENO	Chelfox Cilvondela			Brig					

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